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THE

# CONFEDERATE SECESSION

THE

# CONFEDERATE SECESSION

BY THE

MARQUESS OF LOTHIAN

WILLIAM BLACKWOOD AND SONS
EDINBURGH AND LONDON
MDCCCLXIV

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# PREFACE.

In submitting the pages that follow to the judgment of the public, I feel that I am bound to preface them with a few words of apology, both for themselves and for the period of their appearance.

They have taken much longer in the writing than would appear at first sight. A practised writer could probably have completed them in a week or ten days. I could under no circumstances have done that; but had there been nothing to hinder, I could, no doubt, have finished them much more quickly than I have done. But a malady which has been upon me for a long time has at length so affected my hand as to make writing always a difficulty, sometimes an impossibility; and I have been

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forced to write slowly and very little at a time. This is no excuse for inaccuracies, if there are any, or for defects of judgment, of which I am but too conscious. But it may serve to palliate the faults of unconnectedness and repetition. I have endeavoured to correct these faults on revision; but I could not do so thoroughly without writing it all over again, and it hardly seemed to deserve that trouble.

The same cause will account for the inappropriateness of the appearance of this sketch at a time when there is such a widespread belief, on both sides of the Atlantic, that peace is not far distant. A good deal of the language in it may seem exaggerated and out of place at the present moment; but there was no idea of peace three months or even one month ago, and it must be more than three months since I began it.

NEWBATTLE ABBEY, DALKEITH,
*Sept.* 9, 1864.

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THE

# CONFEDERATE SECESSION.

## CHAPTER I.

### THE RIGHT OF SECESSION.

PERHAPS there are still persons in this country who are under the impression that the cause of the war which is at present raging in America is the conscientious desire of the majority of the inhabitants of the United States to free their country from the stain of slavery; that the minority, alarmed lest their power of exercising wanton tyranny over the negroes should be taken away from them, have most unjustifiably rebelled; and that the Federal Government, being naturally indignant at their attempt at rebellion, has exercised the power which it possesses under the Constitution to compel the slaveholders to return to their allegiance, in order that they may be forced to give up their infamous right of property in

human flesh.* Possibly, also, those who entertain these opinions may also believe that Congress has in America the same power that Parliament has with us; and that the States stand to the Central Government in the relation that our counties do. These views have been contradicted over and over again. But still they may have some weight with those who may perhaps take a superficial interest in the subject, without caring to go at all deeper into it.

Even in the case of such people, however, it seems hardly fair that they should sympathise with the North, as a matter of feeling, because slavery is allowed in the Confederacy. If Prussia were to

* This hypothesis, which I put as a possibility, has just been confirmed by a statment made on July 28 in the House of Commons by the member for Leicester, that "this was simply a question of the determined and continuous will of the North to put down slavery." He gives, at the same time, a very good measure of his temper and his knowledge, by going on to make the testy but irrelevant remark that a former speaker seemed to take his facts from Mr Spens (I suppose he meant Spence), and his principles from "Manhattan." If Mr Lindsay does so, he must have a strange idea of the connection between principles and facts. He may or may not take his facts from Mr Spence, though it is difficult to say upon what, as far as the debate was concerned, Mr Taylor founded the assertion that he "seemed" to do so. But how upon Mr Spence's facts he can found "Manhattan's" principles is left to the imagination. It might as well be said of a zealous Presbyterian that he took his facts from Dr Cumming and his principles from Dr Newman. Probably the orator never troubled himself to inquire what "Manhattan's" principles were.

make an unjust attack upon Belgium, I doubt whether the most fiery spouter at Exeter Hall would claim our sympathy for her on the ground that the war was waged by Protestants against Papists. And it is not very long since the universal clamour of the country forced the unwilling Government to undertake that perhaps somewhat unnecessary crusade against Russia, on behalf of a people, who are not only slave-owners, and slave-owners in an aggravated form, but also Mohammedans, polygamists, and barbarians. It was not till after the war was over that we awoke to the conclusion, that their overthrow, however it might affect the balance of power, would be an undoubted blessing to those millions of people whom their rule now keeps in a very abject state of degradation.

I do not think that the question between South and North is one that ought to be decided on sentimental grounds. I do not know that the former need object very much if it was. The fault with which she is charged is this: that her States have inherited, through no fault of theirs, a bad institution, which was bestowed upon them by ourselves, and, in truth (this is kept out of sight as much as possible), forced down their throats, not only without consulting them, but also in the teeth of their most vehement protestations. Viewed in this light, surely

she is more deserving of pity than of condemnation, at least from us. And even taking that fault at its worst, and not allowing of any mitigating circumstances, surely it is not the only crime in existence. If the South is guilty of that one, the North has been guilty of crimes and villanies enough, even on this very negro question, to make our sympathy at least neutral, and deprive her of any right to share in it. And unless we are prepared to maintain that the fact of having succeeded to the inheritance of slavery is enough to deprive those who have so inherited of all claim to be considered in the light of human beings, is there no sentiment to be evoked on behalf of a people who, for four years, have been making a struggle for their independence, such as, perhaps, has no parallel in history?

But, as I said, I do not think the decision of the question ought to be allowed to rest on sentimental grounds. If the Southerners have a right to withdraw from the Union, we ought to wish them success, even if the "peculiar institution" were as black as it is sometimes painted. And whether they have that right, depends on the answer that may be given to these three questions. If upon any one of them an affirmative is returned, *cadit quæstio.*

1. Have nations any right to change their forms of government?

2. Is this right stronger or weaker in the case of Americans?

3. Is Secession to be considered as rebellion at all?

There are thus three stages. A person who would not admit the right of Naples to throw off the yoke of the Bourbons, might admit that the people of Western Virginia had the right to throw off the government of their State, and set up for themselves, though, of course, it would not follow that President Lincoln had any right to do it for them. And a person who might insist on the inhabitants of the Kanawha Valley being kept under the Richmond Government whether they wished it or not, might still think that it was quite open to that Government to separate itself from the Federal Union.

Let us suppose the answer to the first question to be No. We will suppose a stanch believer in what used to be called the Divine Right of Kings, and now goes by that of the Cause of Order. *No*, says he. Rome, if she rose against the Pope—Venice, if she rose against Austria—would be grossly criminal. The movement which created the present kingdom of Italy was altogether abominable. It was very wrong in our ancestors to drive out James the Second, and in the Greeks to drive out the Turks.

Well, but without entering into that question,

have not *Americans*, at any rate, a right to choose their own rulers? Is there no precedent in *their* history for such a thing?

*Yes*, there is; but it is a bad one. The success of the thirteen colonies does not prove them to have been in the right. They had not even the beggarly excuse of being oppressed, as they themselves avowed. Franklin said that the revolt was upon a mere point of honour; and he ought to have known something about it, as he had a good deal to do with getting it up. But, however this may have been, from the moment their independence was recognised matters entered upon a new phase. By that recognition, George the Third placed the American Government in the position which his own had held.

But what government did he recognise? Did he recognise the American Union as a single body? He recognised nothing of the kind. He recognised the thirteen colonies as separate, independent, and sovereign states. The Union was a creation of a later date. The States formed themselves into a federation for their common advantage, bound themselves to do or not to do certain specified acts, intrusted certain definite powers, or attributes of sovereignty, to the central government, and kept the rest to themselves. On the Divine Right theory, the rebels are not the seceding States, but President Lincoln and those who

have aided him in trying to break off portions of those States, in order to form new ones.

But the question of Secession is something beyond this. It is not a *justifiable* breach of law, for it is not a breach of law at all. I am not concerned with the proofs of this assertion, though they are so clear, I think, that he who runs may read. To bring forward excerpts from the Federal Constitution, or from those of the different States, in support of it, would be alike tedious and unnecessary. I think that the abundance of proof that exists on this subject has done the Southern cause more harm than good; for its advocates, desirous of leaving nothing unsaid which might strengthen their case, have laid so much stress upon what Virginia said when she joined the Union, and what Kentucky said when she did so, and upon the way in which Washington and Hamilton, Madison and Jefferson expressed themselves about it, that they have run the risk of entangling their rights as freemen in a maze of technicalities. I shall avoid the danger and trouble of plunging into it, and content myself with saying that I believe that if, before seceding, South Carolina had referred her right to do so to any competent and impartial tribunal in the world, her claim must have been admitted on strictly legal grounds, without any reference to any motives she may have had for wishing it.

To persons who do not hold to the Divine Right of government all this may seem superfluous, though from some of the arguments that one hears, one would think that, though the subjects of kings may revolt as they please, yet that the citizens of republics may not: in other words, free institutions are the only ones under which freedom is not to be allowed. But I believe many are to be found who, while admitting the right of the Southern States to secede, yet think them to have been wrong in exercising it. Their argument is that, though the North is committing a great crime in preventing the others from doing what they have a right to do, yet that the South is not free from blame in provoking what she must have known to be war, for a mere caprice; and that she not only provoked it, but commenced it.

Now the only way in which this argument is to be met, is by a direct contradiction of every part of it. The Southerners did not secede from caprice, but from reasons which would have justified not only a secession but a rebellion. They did not provoke the war; for all the provocation, if that name can be applied to most unsparing threats and most virulent abuse for a long term of years, came from the Northern Abolitionists. They did not commence it; for the first act of war was Lincoln's perfidious attempt to throw supplies into Fort Sumter. And, finally,

they could not know that the Northerners would resist it by force; for not only is there no provision for such resistance by the Constitution, but the fact that it would be illegal, and also both wicked and ridiculous, to attempt to coerce States into any course that they did not approve, has been attested by a chorus of voices from the days of Jefferson and Madison to those of Mr Secretary Seward and Horace Greeley. It is true that Seward and Greeley are now vehement supporters of the war. Philip drunk has reversed the judgment of Philip sober. I will do Mr Seward the justice to say that *he* is not drunk; he only pretends to be. Consistency is not a virtue much affected by American politicians; and perhaps Mr Seward is as remarkable a case as could be found of the want of it.*

* Mr Seward's opinions as to the legality of Secession found their expression, not very long ago, in rather a remarkable way. A New England senator, I presume an Abolitionist, presented to the House in which he sat a petition for the dissolution of the Union. The motion which he founded on it, met, besides himself, with only two supporters. Those two were Mr Seward and Mr Chase. The fact that both these men should have held, and that one of them should still hold, a seat in the Cabinet of the President, who is waging a long, bloody, and terrible war against an act much less strong than the measure for which they both voted, and one performed in the exercise of rights which he who remains in it has loudly avowed, would be quite incomprehensible except upon the supposition that the political morality of the North has sunk to the level of that of France in

However, I admit that if the South had seceded from mere caprice, there would have been much to condemn in her conduct, as she would have been guilty of a treason to the memory of her own greatest citizens. I think that she ought to be able to show cause why the destruction of Washington's work should not be considered in the light of a neglect of Washington's principles. If the *onus probandi* of the justifiableness of the *war* rests upon the North, that of the justifiableness of the *secession* may be held by those Americans who have had any love for their Union, to rest upon the South.

Let us see what she can find to say for herself.

the days of the Convention and of England in those of the Cabal. But whatever be the case with the ex-Secretary of the Treasury, Mr Seward cannot avoid criticism by throwing the blame upon the circumstances under which he lives. The facts in his biography which have been alluded to, taken in connection with the shameful episode of "Old Whitey," and the celebrated curry-comb, which is not saved from being disgraceful by being ludicrous, combine to make up a picture which is more remarkable than attractive. If Juvenal or Pope were to reappear in America at the present day, Mr Seward might have a chance of immortality.

# CHAPTER II.

## THE NORTH AND THE SOUTH—PRESIDENTIAL ELECTIONS.

To answer the question about what the South can say for herself, what excuse she can give for causing the disruption of a great federation, which has been looked upon by so many persons, not only in America but in Europe, as the grand experiment of freedom, it is necessary to look a little into its history.

The very first thing, I suppose, that a glance at its history shows, is that the opposition between South and North has existed from the beginning. At the convention which framed the Federal Constitution, among the various antagonisms of the different States which were pointed out, this one was distinguished as the most important of all. Slavery had nothing to do with it, for at that time nearly all the Northern States had slaves as much as the Southern ones had. Yet even then the character of the two sections dif-

fered, as might have been expected in the descendants of Cavaliers and the descendants of Puritans; and their interests were as much opposed to one another, to use the words of a speaker in that convention, as those of Russia and Turkey. Unfortunately, the system of government which the Convention adopted as the basis of the Federal Constitution was such as tended directly to aggravate the opposition.

I suppose the ablest of the great band of statesmen who presided over the formation of the American commonwealth was Alexander Hamilton, Scotchman by descent, West Indian by birth, New Yorker by residence. There was no more ardent supporter of American independence than he, no more daring soldier, and no more earnest politician. Yet though he was the most trusted confidant of the Republican leader Washington, and though he was the leader of the band which first made its way over our intrenchments at Yorktown, he was a warm admirer of England and her institutions. I believe that nothing would have pleased him better than to have adopted our Constitution bodily—King, House of Lords and all. This, however, was out of the question, considering the state of feeling in America; and he proposed, as the next best thing, first a President for life, and then, as that would not do, a President for

ten years. Had either of these suggestions been adopted, the antagonism I have mentioned might have been kept under. A perpetual President, and in a less degree, one for a long term, would have had a direct interest in preventing the opposing sections from coming into direct collision with one another. A President for four years—for that was the term which, in spite of the counsels of Hamilton, in spite of the recommendation of its own committee, the Convention fixed upon—has no such interest. The frequency of presidential elections has the effect of keeping the community in a constant state of turmoil and agitation. As a result of this, agitation becomes a trade, and the President comes in hampered with pledges and promises, which he has to swallow by the hundred in order to obtain the votes of his party. His short term of office does not give him time to work these off, and have leisure for governing for a few years, so as to promote the general welfare, even if he does not do his best to make things worse by intriguing with either faction, with the object of securing his own re-election.

It becomes a matter of importance to inquire to whom the pledges and promises which are forced upon the expectant President are given. The answer to this question reveals what is perhaps the most powerful of all the causes which have caused the fall of

the Great Republic. I need not describe how American elections are got up. If they were directly the work of the people it would be bad enough. The great interests of the South and the North were so strongly opposed to one another, and their distinctly marked geographical separation afforded so little chance of rubbing down asperities by constant contact, that there could be but slight hopes of anything like a permanent compromise between their representatives being attained or allowed; and universal suffrage, whatever be its other merits, does not tend to the election of the best men, but rather to that of the most fluent echoers of the cry of the hour. But, bad as this system may be held to be, the one which actually prevailed was worse. The real electors were not the people, but a class of professional agitators. It is difficult at first to believe in the enormous power of which this class grew into the possession; and nothing short of the most striking evidence would make it at all credible. Unfortunately, however, such evidence exists. These men are not statesmen, and have never pretended to be; they simply look on politics as a means of making money. This is the way they go to work.

Some little time before the presidential election comes on, the agitators of each party meet in conclave for the purpose of selecting their man. In the selec-

tion, ability and services to the State are not looked upon as any recommendation, but rather operate as a ground for exclusion. They do not want a man with any very strong opinions or a will of his own, but a pliable man, who will act as he is bid by his party, and those by whom the party is managed; and the quality most in demand is insignificance. This great principle being kept in view, the election is made. In case the "caucuses" of the different States do not agree in the person they pitch upon severally, their representatives meet in a general party convention at some central place, and out of the different nominees of the local ones pick out that man who among them will answer their purposes best; and after having given the required number of promises to the satisfaction of the members of it, the happy man goes forth to the people as the candidate of his party.

The framers of the Constitution, in their desire, while adhering to the principle of popular election, to avoid the dangers of universal suffrage, devised the expedient of intrusting the choice of President to a select body of electors, whom the people were to nominate, but in whose hands, after they had been nominated, the matter was to be entirely left. But this difficulty did not long stand in the way of the managers. They did not only choose the President, but they chose the electors also; and it came not to

matter much who the electors were, as they were simply delegates, pledged not to exercise any judgment at all, but simply to vote as they were bid; and this has been the system up to the present day. Under it, as may readily be seen, no individuality, no political diversity of opinion outside the great party lines, no minute shades of difference can, generally speaking, be allowed to appear; and thus it has come to be said, and not without truth, that there is no country in the world whose inhabitants are so utterly deprived of independence in politics as are the citizens of the American Union.

The effect of the way in which the election of President is managed is enough to canker the whole public life of the country. As I said, the electors of the chief magistrate have no power of choice, but are simply the delegates of two cliques of corrupt and unprincipled traders in politics, to whom one side is pledged to vote *en masse* for A, and the other pledged to vote *en masse* for B. A and B are probably two obscure men, with few antecedents, lest those antecedents should gain them enemies and cause a split in their party, and little strength of character, lest they should object to make all the promises required of them. It is perfectly well known beforehand which will be the President, as the majority in each State returns all the electors to which that State is

entitled. As soon as the election is over, every single office-holder of the Union, from the highest to the lowest, is turned out in order to satisfy promises; and of course, as the clamourers for official spoils multiply, offices have to be multiplied too.

I am more concerned at present with the election of members of Congress than with that of the President. The same evils tell in their case, at least in the case of the House of Representatives, though in a less degree. But even if these elections were so managed as to afford no room for direct corruption and jobbery, yet it is impossible that they should not be affected by the results of the temper and spirit which the quadrennial presidential battle produces on the popular mind.

The evils which I have mentioned prevailed chiefly in the Northern States. That the South has been entirely free from them is not to be supposed; but though her States are very democratic in habit and feeling, yet there is not in them the same jealousy of all superiority, intellectual or other, as is to be found on the other side of the Potomac and Ohio. I think this has been shown of late, not only by the way in which they have unreservedly intrusted their executive and legislature, their army and navy, to the best men they could find, but also by the very judicious alterations which they made in the Constitution

of the Union before adopting it as that of their Confederacy. In one State, South Carolina, the mischievous effects of the system of elections have been completely obviated by the rule of leaving the nomination of the choosers of the President to the State Legislature.

The natural result of this was that the public men whom the South produced were, as a body, superior to those of the North. This gave them an influence more than proportional to their numbers. But in the particular matters which were the subject of Federal legislation this did not do much good: for numbers were plainly what were required. The want of the power of balancing the overwhelming weight of votes against them was felt with constantly increasing urgency. During the greater part of the history of the Union, they contrived to keep their heads above water by the alliance of the Northern Democrats, the party of States Rights and Conservatism. It has not been always that that party has been most deserving of sympathy. Few in this country would be disposed to take the part of the Virginian Democrat Jefferson against the New York Federalist Hamilton. But things are different now. The different factions which have succeeded one another in opposition to them have got further and further away from the principles of the Fathers of

the Union. They have become more and more the party of the North, of Northern interests as opposed to Southern. That there should be such a party, as one of the subordinate agents in moving the wheels of the State, is perhaps natural; but the fact of that party's gaining the preponderance, coupled with that of the way elections have been managed in the North, has caused the disruption of the Union.

For a long time things went on, not very well, but passably. The South and its allies got the honour of governing. The North got the dollars. The Southerners managed the foreign policy, carried through the successful war with Mexico, and more than once prevented an English war when their Northern kinsmen were seized with an appetite for territory. But they had to pay a pretty heavy price for the honour of doing so. There was only one part of government that the North cared much about, and that part she was determined to have her own way. Let the South, if she likes, supply the officers of army and navy, the orators, administrators, and diplomatists. The North can humour her, for the North must have the control of taxation.

This implies a good deal, as it is an important point. There is, or was till lately, only one way in which Federal taxation could be raised to any large amount. It was not to be tolerated that the free and

enlightened citizens of the Great Republic, where the Almighty Eagle spreads his catawampous wings in the setting sun, should be disturbed by the visits of the tax-gatherer. But the Bird of freedom did not object to customs duties, and customs duties would not only pay the Federal expenses to a very great extent, but also act as a protection to native manufacturers. The idea of making the benighted foreigners pay the cost of the best Government in creation, was pleasing alike to the patriotism and the smartness of the citizens; and it was an additional satisfaction to the pious manufacturers of New England, that they enjoyed thereby a pretty large bonus at the public expense.

There was, however, this difficulty. It is needless to point out that the fact of a Federal union, with perfect free trade among all its component members, made it absolutely necessary that the duties on importations from abroad should be perfectly identical in all parts of it; and there was a part of the American Union to which this arrangement was by no means acceptable. The North was, or might be, self-supporting. It manufactured its own implements; it made its own clothing; it grew its own corn. Its connection with Europe, as far as its own productions were concerned, consisted in selling its surplusage and receiving foreign gold in exchange. But with

the South it was very different. The Southern States were entirely dependent on foreigners for subsistence. They had, it is true, plenty of cattle. But the products of their soil were only valuable as articles of commerce. The indigo of Virginia, the cotton of Georgia, the sugar of Louisiana, were all raised with the view to exportation either to the north or north-west, whence they got the greater part of their clothing and their food, or (and this is the point) to Europe, whence they got, or wished to get, the implements necessary to the cultivation of their soil, and the preparation of its products for the market.

Now, here was the pinch. The Southern States were not manufacturing States. They have no "native industry" to protect. New England, however, was largely manufacturing; and she *had* "native industry" to protect. It was, therefore, as I said before, the interest of the South to have free trade, and that of the North to have heavy protective duties. If those duties could be made heavy enough to deter the Southerners from importing their necessaries from Europe, it would be a splendid stroke of business for New England. And if they persisted in being so unpatriotic as to decline to buy inferior goods in order to foster the manufactures of the North, why, they must pay for the luxury of preferring their own interests to those of their neighbours.

And this would be in two ways. First, indirectly—because they would pay by means of the customs the greater part of Federal expenditure, and thereby relieve the North of bearing its share of the cost of the Central Government; and, secondly, directly—because the shipping and mercantile interests lying principally in the North, that part of the Union would realise a handsome profit on Southern importations, in the shape of freight, commission, and brokerage.

To do this required some management. As the tariff was to apply to all parts of the Federation, it could not be a matter of discussion in the Assemblies of the different States. It was reserved for the decision of Congress. In that body, or those bodies, were assembled the representatives of the States which were for Protection and the States which were for Free Trade; and between their opposing interests, the amount of that tariff must be settled by some sort of compromise.

Now, it would have been quite intelligible if the Southern representatives had refused to accede to any tariff at all, as they might fairly have said that since they did not expect the North to pay anything for their benefit, they did not see why they should be expected to pay anything for that of the North. They did not, however, take this line. The struggle

for National Independence was but lately finished, and had left behind it friendly feelings, which had made them willing to make sacrifices for the sake of union and cordiality. The Northern States were not without a corresponding feeling. But the manner of showing it in the two sections was different. The Southerners made sacrifices for the sake of union, at their own expense; the Northerners made theirs at the expense of the negro.

One of the representatives of South Carolina, Charles Cotesworth Pinckney, proposed in the Convention that no alteration should be made on the duties levied on imports without the consent of two-thirds of the members of Congress. The proposal was opposed by one of his own colleagues, on the express ground that it indicated a want of confidence in their Northern brethren, who had shown a desire to conciliate them, and ought to have some return made for their kindness. It was true that the Northern kindness was cheap. I think this will appear on the examination of what it consisted of.

One concession which it was proposed to make, and which was supposed to deserve a great deal by way of return, consisted of an offer to assist the Southerners by force to put the negroes down, in case of any rising on the part of the latter. The Southern members replied to this, that they were

much obliged, but they did not want any assistance: they were quite able to defend themselves in case the negroes revolted, but they had not the remotest fear of their wanting to do so. Events have shown that the judgment of the South is more reliable than the honesty of the North.

However, it must be said that the Northerners professed to have made other concessions to the South. They consented to pass what is called the Fugitive Slave Law. I do not know whether any peculiar disgrace attaches to them for doing so. But if there does, it may be palliated by the fact that it was supported by the weight of the great name of Washington; and that Washington's influence was enormous in the Convention was not, I think, a matter of blame to that body. Washington was a slave-owner himself, though I can hardly suppose that he allowed that fact to have much weight with him: albeit I cannot altogether regard him as a stainless hero, he was above any taint of selfishness; and, as I said, he was strongly in favour of this measure. But the Convention had a better excuse for this law than could be supplied by the cloak of any name however splendid. For the feeling about slavery, which exists so strongly at the present day, was hardly known at that time. The American Declaration of Independence, in stating that all men

are born equal, did not mean that general statement to apply to slaves, any more than Pericles or Licinius Stolo would have done, if they had asserted the same thing. It may be rather disgusting to think so, but I am afraid it is true. What the French lady said of her footman when she was asked why she allowed him to bring her chocolate to her when she was *en déshabille,* "Appelles-tu ça un homme?" expresses the feeling which then existed, not indeed universally, but very generally, in the minds of the whites towards the blacks; and it existed much more strongly in the North than in the South.

This is, however, rather beside the question. It is hardly worth while discussing the justifiableness of a concession made by North to South, for it was not a real concession at all. So far from that, though the actual proposer was a Southerner, his motion was founded on a petition from the Northern State of Pennsylvania, some of whose citizens complained of having personally suffered from the want of it. At the time of the Convention, slavery was not the distinguishing mark between North and South, for the Northern States had slaves just as much as their Southern neighbours had. There was one exception, and only one. Massachusetts had no slaves. That *canny* State had come to the perfectly correct conclusion that in her climate slave labour was

unprofitable, and that her negroes were an inconvenience. So she had got rid of the "peculiar institution" by converting them from slaves into . . . . freemen? No; into cash—for she sold them to whoever cared to buy, and thus reaped the double advantage of ridding herself of an encumbrance, and realising a pretty handsome profit in the process of doing so. I do not know whether she considered that she attained any moral elevation thereby: probably not, not because she had any objection to glory in the contemplation of her own virtue, but because it would not occur to her to think whether the negroes could have any rights at all. Of one thing I am certain, and that is, that if New England had considered that slavery could by any possibility be made to pay, she would never have given it up. That cluster of States presented, and still presents, the hardest and most merciless specimens of humanity that probably the world has ever witnessed. Liberty and Protestantism have never worn so unamiable and forbidding an aspect as among the descendants of the Pilgrim Fathers.

It would hardly have been necessary to explain so fully why the Fugitive Slave Law was not a concession on the part of the North towards the South, but that it has been the fashion so to represent it. I believe that there are some people in England who

are under the impression that it was proposed within the last few years, by Mr Mason of the "Trent" outrage, and that it was carried through by the enormous preponderance of Southern votes in Congress; so it is not useless to mention that it was passed in the Convention which framed the Constitution of 1788—that it was founded on a petition from the State of Pennsylvania—that it was approved by Washington—and that it was passed without a single dissentient voice.

However, though the Fugitive Slave Law cannot be considered in the light of a real concession from North to South, yet there was another provision of the Constitution to which that name can be justly applied. It was this. Of the two Houses of Congress, the Senate was to represent the *States*, and the members were to be returned accordingly, small or large having equal weight. But the House of Representatives was to be returned according to population, each member to represent so many voters. In both Houses the returns were made by the States, for the notion of electoral districts did not enter into the heads of the framers of the Constitution; nor, indeed, is it likely that the State legislatures, to whom it was submitted for ratification, would have adopted it. But while, in the Upper House of Congress, Rhode Island had as much power as Massa-

chusetts, and Delaware as Virginia, in the other House the votes of Massachusetts and Virginia, should they coalesce, would swamp those of the two others many times over. As between North and South, the preponderance in respect of population was so clearly in favour of the former, that a combination of her representatives would have the power of carrying through the Lower House of Congress any measure that they pleased; and it was in view of the possibility of such a combination the South made this proposal. She proposed, that in the apportionment of votes, negroes should be counted as part of the population, in the proportion of three votes for every five persons of colour. There was, as might have been expected, some opposition to this; but it was finally admitted into the Constitution; and the South had reason to be grateful for the assistance of those Northern members whose support gave her the majority. I believe that this is sometimes supposed to mean, that masters should have three votes for every five slaves they have. Slaves do not accumulate in the possession of individuals as they used to do among the luxurious Romans, or even in the Dark Ages. Still, there are several masters in the South who are the owners of several hundred negroes, and I believe there are two persons who actually possess over a thousand each. If those two persons, besides their own votes,

could each dispose of six hundred more on the strength of their slaves, the Southerners might well be called aristocrats. But it is not the case. The regulation was made for the purpose, not of founding an oligarchy, but of protecting the South against the dangers of Northern preponderance. The contrivance was clumsy and illogical, and has proved quite nugatory in practice; but it shows that the Northern leaders, or some of them, were not then as inimical to the South as their successors have been.

In spite, however, of the insufficiency, which must even then have been apparent, of this concession to enable the weaker section to balance the stronger, the South was contented to accept it as a sign of a moderate and conciliatory disposition on the part of her rivals. And, as for the future, she trusted to good-luck; to the abilities of her own statesmen; to the chance that the new States which were to be formed, might find that their interests were not identical with those of New England; and to the probability that there would always be a sufficiency of sensible and moderate men in the North to check the overweening selfishness of their fellows, and whose votes might be relied on in her support, if she had to resist attempts at exclusive sectional legislation.

So Pinckney's proposed guarantee was given up, or

supported feebly. He did not even carry his own colleagues with him, and the vote of South Carolina (for the votes in the Convention were taken not by heads, but by States) was registered against the motion of her distinguished citizen. It must be set to the credit of the South, that her States did not support it with their full strength, as it shows an absence of desire to secure themselves against their sisters, and a confidence in the good faith of the latter, which must be considered laudable, though events have shown it to be mistaken. If they *had* so supported it, it might perhaps have saved the Union.

So, here we have North and South, with directly opposing interests, chained together, and unable, from the nature of the case, to agree to differ, as England and Scotland have done on the question of the Church Establishment. And the difference was even more irreconcilable than between England and Scotland. It is probable, or at least conceivable, that the mass of Scotchmen might have got accustomed to an Episcopal Church, if it had had the good sense to abstain from persecuting; and though it would probably have been more exclusively Calvinistic than that of England is, and although there would have been always a good deal of dissent, yet I do not think that the single fact of Episcopacy

would have made it intolerable for ever. But such a cause of quarrel as that which existed between England and America, was one which the lapse of time could only embitter. No amount of habit was likely to make Virginia and the Carolinas think it desirable that they should pay the taxes of the Northerners for them; and, though it *might* happen that the men of the other section, following the lead of their great statesman, Alexander Hamilton, should become converts to the doctrines of Adam Smith, yet the fact of the Union was likely to prevent their doing so. First, because the same reason, which would make the South feel keenly the evils of a protective system, would make the North feel them very little; and, secondly, because the opposition to that system, on the part of one section of the Union, would make its retention a point of honour with the other, and cause it to become the centre of a number of other ideas, which would gather round it, and create in its behalf a feeling of something like patriotism. On both sides, the feeling, instead of being smoothed down by time, was likely to be deepened by it. And it did not require deepening. For even at the time of the Convention, when, if ever, the people of the two sections were disposed to draw together, and to believe that their interests might be in accordance with one another, a speaker was found to say, as I have

already mentioned, that the interests of New England and those of the South were as different, one from the other, as those of Russia and Turkey. Nor do I believe that any attempt was made to contradict him.

The natural course that would recommend itself to a dispassionate looker-on would be, that as it was impossible that, with such conflicting interests, the two sections should get on comfortably together, they had better agree to separate. But this did not suit either party. Both North and South were fired with the recollection of their successful War of Independence, and with not unnatural, though perhaps somewhat vulgar, notions about the glorious destinies and 'tarnation bigness of the Union; and, besides, the North had her own private reasons for wishing to keep up the connection, as supplying the means of relieving her from the burden of taxation. I do not suppose that the Northern statesmen who attended the Convention quite realised what a good thing their countrymen would make out of it, nor do I suppose that, if they had realised it, the prospect would have given them much pleasure. But the idea of separating the States into two Unions, would have seemed to them only less preposterous and abominable than that of trying to prevent such separation, should it ever be desired, by force of arms.

The next best thing, if they could not make up their minds to separate, would have been to have had a strong centralised government. It might have been a Protectorate, such as Cromwell's was to have been, in which the Protector was to nominate his own successor; or it might have been a Presidency for life, to be filled up in whatever way might be selected. I suppose these would be unobjectionable forms of expressing the odious ideas of hereditary and elective monarchy. The only drawback about it would have been, that the Chief of the State must have had abundance of power, to keep the two sections from quarrelling—power to legislate, so as to promote the interests of one, without doing harm to those of the other—and power to prevent them from taking the law into their own hands to each other's detriment. In other words, he must have been as much of a despot as the present Emperor of the French. And even that would not have been enough. For they would require not only a monarchy, but a monarch, and a succession like Augustus, or Leo the Isaurian,* or Charlemagne, or Peter the Great.

* The name of Leo the Isaurian, Emperor of Constantinople in the early part of the eighth century, is probably less familiar than any of the others, but he was great enough to deserve to be bracketed with them, and, what is more, his is the example most to the point. The others ruled by representing with ability and justice

But no: if separation was bad, monarchy was worse, at least so it was thought then, though it rather looks as if the North did not think so now. And a Federal democracy it was, and was to remain. The States of the North, and the States of the South, refused to take either the course which might have obviated the necessity of conflict, or the course which, with good luck, might have moderated its vehemence; and they determined to fight it out. History has often seen specimens of a similar conflict. There are two specific characters, which have been opposed to each other in almost every age of the world. This opposition has come so often, that one would think that nature had a particular pleasure in setting them together, in order to see which will prevail. The cases are always distinguished from

the preponderance of one strong race over a multitude of weaker ones. Leo, besides having to resist the attacks of a powerful and encroaching enemy, with only such means as could be supplied him by a society disorganised, enfeebled, and corrupt, had to govern an empire composed of numerous distinctly marked races, all mutually antagonistic, and none strong enough to take the lead over the others. And yet he succeeded in forming a system of government strong enough to bind them all firmly together, without identifying itself with any one of them, and stable enough to maintain itself for five centuries against formidable enemies without, and the yet worse dangers of incapacity and corruption within. This work of binding together nationalities of not very different degrees of power, but differing in almost every other respect, was exactly what was wanted in the United States.

one another by fresh shades of character being introduced to prevent them from being absolutely identical; but a general family resemblance runs through the whole. One character is that of an open, free-handed, manly being, generally fond of pleasure, full of impulses which on the whole are generous ones, not deficient in ability, and ability sometimes of a high order, careless, self-confident, rather arrogant, and sometimes not very scrupulous. The other is of a different type: crafty, cold-blooded, intensely selfish, clear in the perception of what he wants, and determined to get it at any cost, often inferior to his antagonist in talent, but superior to him in the obstinacy with which he pursues his object—an obstinacy which is rarely shaken by any feeling of mercy, or by any shrinking from meanness or crime. It is also a part of their respective characters that, while the first is sometimes a free-thinker, and, if he is religious, does not say much about it, the second makes a great parade of godliness, and that not necessarily out of hypocrisy, but because he has great faith in the externals of religion, and in fact is apt to be extremely superstitious. The earliest instance of this antagonism that we know of was displayed more than seventeen centuries B.C., in the persons of Esau and Jacob; and it was only the opportune death of one of the parties, just as the

struggle was commencing, which has prevented us from seeing it renewed on a very great scale in the century in which we live.

I have described these two characters rather in the abstract than with any particular reference; and so far from holding that these types are reproduced in every instance with perfect exactness, I am not sure if there is a single one to which the words I have used can apply without some sort of alteration. I will not, therefore, be responsible for the precise applicability of everything I have said, or have it considered in the light of an attempt to depict the character of any individual or people. I say people, though this proviso refers rather to the case of individuals; for the antagonism I have mentioned has been seen more than once in the case of nations, as well as in the case of men. If it had not been so, I should not have been excused in saying anything about it here.

Well, Jacob and Esau—Jacob of the North, and Esau of the South—knowing perfectly well that their interests, or supposed interests, are incompatible, and probably not without a suspicion that their tempers are no less so, make up their minds to keep house together. They will not intrust anybody with full power to manage their affairs for them, so as to force them to make mutual concessions for their common

advantage. They insist on sending their representatives to Washington, not to act as statesmen for the general good, but to vote as delegates according to the injunctions of their respective States; and the two sections having irreconcilable interests, Congress cannot legislate so as to suit both. So that, unless its members are fully possessed with a spirit of statesmanlike moderation, and the citizens, whose delegates they are, with the spirit of Christian charity, the chances are that there will be questions to be settled which will test the solidity of the Union.

Alas! there is but little hope that any such spirit will prevail. It is difficult to make individuals, even if they are tolerably sensible and well-educated, feel that it is wise to sacrifice what they imagine to be their own interest for the sake of the general good. It would be still more difficult to induce an ordinary constituency to do so; and to succeed in impressing such an idea on the mass of citizens of a State, with whom selfishness would take the form of patriotism, would be, humanly speaking, impossible. If there were any real reasons for the sacrifice, they would perhaps not be very clear to an educated gentleman. They would seem of no importance to a ten-pound householder. And to the greater part of the voters, under a system of universal suf-

frage, they would seem anti-national, not to say treasonous.

I am not finding fault with all this. If the citizen of Massachusetts or New York satisfied himself that the interests of his State were bound up with Protection, it was his duty to vote for Protection. To a New Yorker, his country is the State of New York. To that State attach the interests and duties which attach people all over the world to their respective countries. Within its limits is the home wherein he was born: with it are connected his earliest associations, his most important duties, his nearest interests; the family to which he belongs, the neighbours and acquaintance with whom he is most brought in contact, all reside there; and his relations with them are regulated by its laws. His life and property are protected by its officers; his lawsuits, if he has any, must be settled in its courts. The only military force that he is likely to see much of, unless indeed he happen to be anywhere near one of those points which in different parts of the country are given into the charge of the forces belonging to the Federation, is its militia; and generally, in all matters in which an ordinary person ever comes in contact with Government, the only Government which he is obliged to be acquainted with is that of the State of New York. No doubt he feels himself exalted by the

thought that New York is a member of a great and powerful union of States, which, to the eyes of foreigners, presents the appearance of a single body, and which would resent an injury done to its members as if it were done to the whole. No doubt he is proud of the greatness, both in extent and in resources, of the aggregate of States and Territories of which that Union is composed. No doubt, as a citizen of the Union, he feels a jealousy of the aggressions, or what he would call such, of France in Mexico, and Spain in San Domingo, which, in the mere character of citizen of New York, he would not feel. No doubt there are ways in which he has duties towards the Union direct. But those duties are of a secondary order. He belongs to the Republic of the United States, because he belongs to the Republic of New York. "Siamo Veneziani, poi Cristiani."

So that the New Yorker or the Bostonian is not only entitled, but bound, to think more of the interests of New York or Massachusetts than of those of the Union. But, if he is a member of the Federal Congress, he has other duties to bear in mind. At a European Congress the representative of England is right in standing up for purely English interests, for he is there purely as the representative of England; and he knows that if on some question vitally affect-

ing, say Russia, he succeeds in getting a majority against her, Russia has nothing to do except to refuse to be bound by its decision; and therefore he is under no obligation to consider Russian interests at all. But if the decision *was* binding on Russia, and if European Congresses were in the habit of coming to general resolutions on points which now each State decides for itself, or by special treaty with others, then the English representative would be bound to look at the question with Russian glasses, as well as with English ones.

The conflicting duties towards the State and towards the Union might in many cases be reconciled by a feeling that it could never be for the advantage of the Union to legislate against the interests of any of the States which compose it. In our recent treaty with France, the only real argument against the large concessions which our Government made, was that which maintained that if we had not been so ready to give everything up, we might have got more in exchange. There was some force in this: for the fact of our being too ready to surrender deprived us of the means of negotiating a similar treaty for our mutual advantage in future. But in itself, the more we gave up, the better for ourselves as well as for them; and if France had not had any duties on importation, we might have taken off all ours, not as

a piece of kindness, but on the purest principles of self-interest. And upon an enlightened view of what was best for themselves, the Northerners might have come to the conclusion that what benefited the South would benefit themselves also. But, unhappily, they are possessed with the idea that their interests demand protection; and there is no doubt that protection to their industry is a grievous injury to the South.

Had they separated, each section would have followed its own system without quarrelling, at least unless, as would not have been unlikely, some of the inhabitants of the Northern States, and especially those of New York, New Jersey, and Pennsylvania had found out that freedom of commerce had its advantages. Had they had a despotic ruler, with a head like Cromwell's, and a large army to fall back upon, some sort of perpetual compromise might have been forced upon them. But such an idea was not to be heard of. They must have a Federal Union, and they must have it on pure democratic principles. All matters, and especially those relating to taxation, must be settled by the process of counting noses; and whichever section has fewest noses goes to the wall.

I think it is pretty clear how this must end; but surely it may be postponed for a little at least. We have free institutions, and free institutions, if they

are worth anything, ought to produce statesmen, ought to produce men who can see that, if there is to be a Union at all, it must rule its policy so as to be for the interest of all. But the Union is composed of States, and the voters must think first of the interests of their own communities, and return men who will promote them. Are there no men who will have sense to know what is best, and influence enough to prevent their countrymen from rushing into the gulf which is opening beneath their feet? Even if their voices be for a time drowned in the uproar of faction, they must be heard at last. A mob may be insane, misguided, led away by factious bunkum and mistaken ideas about what is for its advantage; but there is generally some heart in the masses, and the opinion of good and wise men must generally have its weight. Hamilton is gone, and Franklin, and Adams, and the great succession of Virginian Presidents, who were the glory of the early days of the Republic; but it cannot be that all the genius and all the virtue of America have been buried in their graves. They have surely left *some* representatives behind them.

It is a poor look-out for a country if its hopes of good government depend entirely on the excited mob forgetting its passions and supposed interests at the bidding of men who scorn to make use of the

arts by which popular favour is acquired. But poor as that chance is, it does not exist for the Americans. The mob is not left to its own sweet will, its own genuine impressions; if it were, it is very doubtful whether it would go right. As things actually stand, it is almost certain to go wrong; for the people move like sheep in the way pointed out by their party conventions, and those conventions are completely in the hands of the professional traders in politics.

I have mentioned these conventions, or caucuses, already; but I have not mentioned the great spring which sets them in motion. Those who rule in them are not statesmen, desirous of securing the prevalence of what they think the best principles of government. Neither are they ambitious men, impelled by a thirst for notoriety and fame; they are simply intriguers, whose object is to get as large a share of the spoils of office as they can. The patronage of the President is enormous; and he is expected to make use of it so as to reward those who have voted for him. Of course it would be right enough that any vacancies which may occur should be filled up from the ranks of his own partisans. But, as we have seen, this is not enough for the caucusmongers. They will not be content with anything less than the *whole* patronage of the Union; and consequently

every new President that comes into office does so with such an enormous load of people clamouring to be paid for their votes, that he has to turn out every soul who holds any office of whatever kind under the Federal Government, from the secretary of state to the keeper of the smallest country post-office, in order to satisfy them. I need not say what a beneficial effect this must have on the transaction of public business. One of the articles of the new Constitution of the Southern Confederacy has been devised in order to obviate the possibility of such a state of things.

But if the caucusmongers are to be bought, they must have something to sell; and if they are to have the power of making the President, they must do something to earn it. It is not to be supposed that they maintain their influence by the display of enlightened wisdom and power of discrimination. They have to work on the electors, at least by implication, by the same motives that actuate themselves. The lower classes of the people will have the smaller offices, those which the caucusmongers despise for themselves, and also plentiful doses of bombastic flattery in the "star-spangled banner" style, which is grateful to their ears. But *canny* New England, as represented by her manufacturers, must have something more; she must influence legislation, and have

a congress which will do as she wishes; and the caucusmongers, among whom doubtless many New England manufacturers are to be found, are only too happy to do all that is asked for them in this respect.

It would be unfair to represent the North as unanimous on this tariff question from the very beginning. It is only as time advances that its full danger has become apparent. There was, and is, a strong party in the North, not without a strong Northern *esprit de corps*, but not anxious to push matters to extremities; its members are zealous for the Constitution, zealous for State rights, zealous for the preservation of the Union, and fully conscious that it can only be preserved by a conciliatory policy as between the different sections. As may be imagined, most of the Northern *statesmen*, as opposed to the politicians, are to be found in this party; and they have generally guided it so as to check the ultra-Northern tendencies of their fiercer and more short-sighted countrymen. They have generally, therefore, been considered as the friends of the South; and their superior ability and greater political skill having generally given them a preponderating share in those parts of the government of the Union which foreigners are brought most in contact with, there has arisen a very common idea in Europe that the South has hitherto had everything her own way, and

has seceded in a fit of the sulks because she has at last failed in carrying an election, like a baby crying at not being helped first to pudding. A slight acquaintance with the history of Federal legislation will show that the South was very far indeed from having things her own way; and that on questions which were to her of paramount importance she not only did not have her own way, but was completely powerless and at the mercy of those whose cold-blooded selfishness drove them to act towards her in a fashion which might to a looker-on have seemed to be dictated by the most relentless and malignant hatred.

# CHAPTER III.

## THE BATTLE OF THE TARIFFS—NULLIFICATION AND COMPROMISE.

THE history of the long battle on the subject of the tariffs, which was so fiercely waged between the Northern and Southern sections of the Union for upwards of a quarter of a century, deserves to be narrated with a greater abundance of detail than I either can or wish to bestow upon it. But in making an attempt to account for the disruption of the Union, it is impossible to avoid dwelling for a short time on this, the most powerful of the causes of which that disruption has been the result.

The antagonism between North and South on this point had been signalled at the time of the Convention as one of the greatest dangers which the young Republic was likely to be called upon to face; but it was not till the second decade of this century that the antagonism found its expression in Congress, and in

Federal legislation. Since that time it has gone on increasing. When once it had been started, it could hardly avoid doing so. What one party fancied to be its life, was in no fancy, but in reality, the death of the other. The former, the Protectionist party, was perhaps the strongest at first, and its strength was continually increased. The people among whom it existed had a hereditary character for being hard, selfish, intolerant, and merciless beyond probably any other that has existed on the face of the earth. They had known too little adversity to have learnt moderation, and been fed too long upon bunkum to have learned modesty. They would not yield an inch out of respect for the rights and feelings of others, and if they had an advantage, would not refrain from pressing it to the uttermost. There will be people in every state who will do this; and it is the duty of governments to keep them from encroaching too much. But this duty the Government of the United States could not perform. In the first place, it has not the power. In the second, it was ingeniously contrived so as to foster the evils which it ought to have prevented, to an extent which no other constitution ever devised has been able to approach; for no other government has ever provided such a machinery for disturbance as the quadrennial election of the President. Not only does it excite passions, but

it invites the repetition of factious pledges. At every recurrence of that event, the support of the Northern voters had to be bought by promises of higher and yet higher protective duties. If it had not been for this, it is conceivable that even New England might at length have been satisfied. Had the legislature and the government been permanent, they might have exacted a pretty high tariff, if nothing less would serve them, and been content to let it remain. But if there is a grand upsetting of everything every four years, and if at every recurrence of that period the party wirepullers come forward, bidding for support for their respective nominees, by trying which can make the highest promises, to be fulfilled at the expense of their neighbours, it is hardly in human nature—it certainly is not in New England nature—to resist the temptation of trying to make a profit out of the circumstance.

I have represented this tariff question as entirely the result of the criminal selfishness of the North, worked upon, for their own factious purposes, by a set of clever though ignorant dealers in politics, considered not as a science but as an article of trade. And I mean so to represent it. The honest Protectionists of this country, who prefer a high tariff on necessaries, on its own merits, and as a matter of public policy, have few parallels in the American

Union. The question has been viewed there, simply as a question between North and South, as a question as to how much hard cash the free and enlightened citizens of the former can get out of the pockets of the latter. I hardly suppose that any one who believes the account I have given of the way things are managed, will require much proof of this. If he does require one, here it is for him.

The very first act of Federal legislation on this subject was in 1816;* and part of that measure consisted in a *reduction* of tariff. The particular department of native industry from which, to a certain extent, protection was removed, was indigo. I think that this in itself was a good thing; for certainly the indigo duties were high, and probably ought to have been reduced. But the point of the matter is this. Indigo was as entirely a Southern production as cotton is now; and along the whole coast of the Atlantic, from the frontier of Pennsylvania to the frontier of Florida, it was a staple of great importance. It occurred to the New Englanders that, at the same time that they secured heavy bounties for their own shipping and woollens, they might pay their homage to the doctrines of Adam Smith, which were also those of Hamilton, and do it out of the

* That is, as *Protection:* customs duties had been levied before, but only for revenue.

pockets of the Southerners, by cutting down the indigo duties; and they managed to succeed in doing so. I do not know whether the Southern representatives made much of a fight on the subject: whether they did or not, they accepted the reduction as a fact, and acquiesced in it. But it became a little too strong, when they found that the Northerners, who were so anxious to be free-traders at *their* expense, would do nothing on behalf of that doctrine at their own; and not only would they not diminish the duties from which they themselves derived a profit, but they kept on increasing and increasing them. As regularly as the Presidential elections came round—that is to say, every four years—the tariffs (not on indigo, but on what the North produced) were raised, in fulfilment of pledges given to buy Northern votes.

At last, in 1828, when, after the tariff had been altered to please New England three times, it was proposed to alter it again in the same interest, the South, which had been vainly struggling against the incoming tide of Protection all this time, resolved to make an attempt to save herself in another way than by dead opposition. She had reason. Under the government of the Northern majority she was rapidly approaching the verge of ruin. In spite of the large exports which her industry enabled her to make, amounting (in four staples alone) to the value of

eight hundred million dollars during the half century which had elapsed since the Revolution—in spite of this she was sinking lower and lower. "A universal pressure for money—not enough for current expenses—the price of all property down—the country drooping and languishing—towns and cities decaying—and the frugal habits of the people pushed to the extreme of universal self-denial, for the preservation of their family estates. . . . . It is Federal legislation which has worked this ruin. Under this legislation the exports of the South have been made the basis of Federal revenue. The amount annually levied upon imported goods to defray the expenses of the Government, are deducted out of the price of their cotton, rice, and tobacco, either in the diminished price which they receive for these staples in foreign ports, or in the increased price which they pay for the articles which they consume at home. Virginia, the Carolinas, and Georgia, may be said to defray three-fourths of the annual expense of supporting the Federal Government; and of this great sum annually furnished by them, nothing, or next to nothing, is returned to them in the shape of Government expenditure. That expenditure flows in an opposite direction—it flows northward in one uniform, uninterrupted, and perennial stream. This is the reason why wealth disappears in the South and rises up in

the North. Federal legislation does all this. It does it by the simple process of eternally taking away from the South, and returning nothing to it."

This brings in another element. Not only is the South to find all the money, but the North is to get all the profit. Not only by being relieved from taxation, not only indirectly by protection to her manufacturers, but by direct bounties from the public purse. The patronage of the Union is almost entirely given to Northerners. Perhaps the South may get a little too; but what sensible man would think of wasting his loaves and fishes in bribing those who have not the power to make their support worth buying? This is rather galling; but worse is behind. The money which the Government ought to spend in useful works all over the Union goes almost entirely to the North. So that while New England and New York get abundance of things done for them with Southern money, the South finds her interests grossly neglected, and suffers a good deal in consequence. I will take one single example.

The whole coast of the States, though abundantly provided with harbours, is somewhat unsafe from sandbanks, sunken reefs, &c., and therefore has a great need of lighthouses. These it is the business of the Central Government to provide. The way in which this duty is fulfilled is a fair specimen of the

spirit which actuates the men by whom the department is managed. The coast-line of the Northern States is about 800 miles in length. That of the Southern States is about 2500, or more than three times as long. Will it be believed that though the latter is fully as hazardous, and as much in want of safeguards for navigation as the former, the amount of lighthouses provided for it is not more than half of that provided for the North, perhaps hardly even that? And it should be noticed that this gratifies the North in three ways—First, By the employment of labour in the erection of lighthouses in the North; secondly, By the discouragement, through the non-erection of them in the South, of any Southern shipping interest that might arise; thirdly, By forcing foreign trade, which naturally would have gone to the latter as being the principal market, to pass through the hands of Boston and New York, whose citizens have reaped a pretty handsome profit thereby.

I am digressing shamefully, and must return. I said that in 1828 the South resolved that, as she could not succeed in protecting herself by dead opposition to the rising flood of Northern tariffs, she would try and save herself some other way. And she did so by making a proposal in Congress to which one would have imagined that no objection could have been taken. If the Northern States had any friendly feeling towards those of the South, they must

have been delighted to agree to a proposal which would not satisfy the latter indeed, but which they could put up with, while, at the same time, it did not interfere with the interests which affected them selfishly. If they had been bitter enemies to those States, it might have been expected that they would have accepted it for very shame.

The proposal was, to insert into the bill an additional clause raising the duties on indigo. The sentences which I marked as quotations a short way back, expressive of the miserable condition to which the stronger half of the Union was reducing the weaker, are extracts from the speech of the proposer of the measure. That proposer was Benton, an eminent Missourian—the same, I believe, whose statue, or at least the cast of it, may be seen in Rome in the studio of Miss Hosmer.* He proposed it in the character, not of a Southerner, but of a Westerner; for in those days Missouri was much more Western than Southern in feeling, and at any rate had no sort of interest in the question of indigo; and he seems to have had no other motive for what he did than a sense of justice and a desire to preserve the Union. The Southern members of Congress supported him with all their strength; for, as I said before, indigo was a staple of all the Southern States from Virginia to Georgia. But this support did not arise from any abandonment

* I am not sure of this, however.

of principle. "I am opposed to this bill," said the seconder of the proposal, a South Carolinian, "in its principles as well as in all its details. . . . . I determined to make no motion to amend it. But when such motions are made by others, I know no better rule than to endeavour to make the bill consistent with itself. . . . As a Southern man, I would ask no boon for the South; but I must say that protection of indigo rests on the same principle as that of every other article proposed to be protected by this bill."

It was of no use. The Northern majority would not hear of the application of their Protectionist principles to any interests but their own, and they threw Benton's proposal out, or, as they would say, *tabled* it. As if to add insult to injury, they not only refused to increase the indigo duty, but actually reduced it; and they had the effrontery to give as their reason for doing so, that the reduction would benefit the Northern manufacturers of woollen cloths.

If such was the fate of Benton's amendment in the Senate, where all the States, large and small, are represented equally, what was it likely to be in the House of Representatives, where votes are according to population, and where the numerical superiority of the North would be sure to tell? The Southern members felt themselves powerless, bound hand and foot, and given over to the mercy of their

enemies. But they could express their feelings, for at that time President Lincoln had not yet made it a crime to do so. Listen to them. It is again South Carolina that speaks. She speaks through another mouthpiece, and in more indignant tones, but the voice is the same. A short extract must suffice.

"Sir," quoth her representative, "if the union of these States shall ever be severed, and their liberties subverted, the historian who records these disasters will have to ascribe them to measures of this description. I do sincerely believe that neither this government, nor any free government, can exist for a quarter of a century under such a system of legislation. Its inevitable tendency is not only to corrupt all public functionaries, but all those portions of the Union, and classes of society, who have an interest, real or imaginary, in the bounties it provides, by taxing other sections and other classes. . . . . What, Sir, is the nature and tendency of the system we are discussing? It bears an analogy but too lamentably striking to that which corrupted the republican purity of the Roman people. God forbid that it should consummate its triumph over the public liberty by a similar catastrophe, though even that is an event by no means improbable if we continue to legislate periodically in this way, and to connect the election of our chief magistrate with the

question of dividing out the spoils of certain States amongst the influential capitalists of the other States of the Union. Sir, when I consider that by a single act like the present, so large an amount of money may be transferred annually from one part of the community to another—when I consider the disguise of disinterested patriotism under which the basest and most profligate ambition may perpetrate such an act of injustice and political prostitution,—I cannot hesitate to pronounce this very system of indirect bounties to be the most stupendous instrument of corruption ever placed in the hands of public functionaries. Do we not perceive, at this very moment, the spectacle of less than one hundred thousand capitalists, by means of this unhallowed combination, exercising an absolute and despotic control over ten millions of citizens? Sir, I will not anticipate or forebode evil. I will not permit myself to believe that the Presidency of the United States will ever be bought or sold by this system of bounties and prohibitions. But I must say that there are certain quarters of this Union, in which, if a candidate for the Presidency were to come forward with this tariff in his hand, nothing could resist his pretensions, if his adversary were opposed to this unjust system of oppression."

It may be said that Jacob is not showing much of

the craft which belongs to him, or anything of his character at all, except a determination to stick at nothing, in order to push his brother to the wall; for he seems to gain his ends by pure force of physical strength, and weight of numbers. But that would be doing him gross injustice. He has not much of the wisdom of the statesman about him. If he had, the words of Benton and the two Carolinians would have had their weight with him. But though he has not that sort of wisdom, he has abundance of low cunning. He knows how to divide and conquer. The Western States have no desire to protect the peculiar interests of New York and New England; and their votes must be bought; and it may be possible to carry the process still further, and to purchase the votes even of some of the Southern States, who may have some points in which their interests are not identical with those of the rest. So, in pushing forward the new tariff bill, its promoters added to it clauses, which were meant to catch stray votes from the other side. Jacob is only too successful. The people of the States whom it is intended to buy, though they dislike the system of Protection, when only the Yankees profit by it, view it with different eyes, when they themselves are to have the benefit of it; and though their representatives in Congress may see the drift of the proposal,

and feel that it is both short-sighted and unworthy to be caught by such a device, yet they dare not vote in accordance with their sentiments, for the evil fashion in which elections are carried on has reduced them to the condition of mere delegates. Benton, the Missourian, as we have seen, endeavoured to mitigate the evil, by proposing to extend to the Atlantic States of the South the protection to their industry which the crafty Northerners wished to give to that of Missouri. But he was obliged to vote for the bill, whether it contained his indigo clause or not, and he and the other representatives of the West, though gnashing their teeth with rage and shame, were forced to follow the triumphant chariot-wheels of New England. Yet they could not refrain from murmuring; and their displeasure found vent in the words of a senator from Kentucky. "It is in vain," he says, "that this is called the American system. There is but one American system, and that is delineated in the State and Federal Constitutions. It is the system of equal rights and privileges, secured by the representative principle. A system which, instead of subjecting the proceeds of the labour of some to taxation with a view of enriching others, secures to all the proceeds of their labour, exempts all from taxation, except for the support of the protecting powers of the Government. As a tax *neces-*

*sary* for the support of the Government, I should vote for it, call it by what name you please. As a tax for any other purpose, and especially for the purposes to which I have alluded, it has my individual reprobation, under whatever name it may assume." But after this decided expression of opinion, how does the speech proceed? It proceeds thus: "It might be supposed from what I have said that I will vote against this bill. But I am not at liberty to substitute my individual opinion for that of my State," and more to the same effect.

Surely the Union may now be held to have ceased to exist, if the Union may be considered to have been instituted for the common good of all its component parts. There has been a notion in former days that subjects existed for the benefit of their sovereigns, though I hardly suppose that even the courtiers of James the Second or Louis the Fourteenth would have said so in so many words. But that, in this century, half the citizens of a Federal Republic, and their several Governments, should be supposed to exist for the benefit of the other half—that they should be taxed for them—that they should have to keep up a system of commercial legislation for their advantage, though it was bringing themselves to the verge of ruin—that while they saw their neighbours fattening on their spoils, they

should be themselves debarred from reaping what small advantage they might have got out of a system which was devised against their interest—that Virginia should have the bread snatched from her lips, in order that Massachusetts might dine off turtle-soup and hang her rooms with damask,—I think that the most fanatical Filmerite would have stood aghast at such an idea. He would not have realised, that it would be held by his enlightened posterity that a majority can do no wrong. Might not the South have said, that Liberty and Union are fine things in their way: but if this is what they mean, it is not easy to see what we revolted against King George for, and we wish our ancestors had let it alone?

Why did they not secede at once? They had a perfect right to do it; and even if the Constitution had dropped from heaven, bearing in letters of gold, "Art. 1. No State shall secede from this Union under any circumstances," they would still have been justified in doing so.* Far less provocation had produced the rising which their Northern oppressors celebrated every 4th of July with a carnival of bombast, and which, illegal as it was, even the Brit-

* In the articles of the German Federal Union, there actually is a declaration that the Confederation is indissoluble. The legal powers which the German Diet possesses as against individual States are much greater than those of the President and Congress in America, although, of course, it has much fewer functions.

ishers had come to consider justifiable. I suppose it would not have seemed to them possible that any objection could have been raised to their doing so. But they appear still to have clung to the Union. That great Federation which was first called into existence by Southerners (for so we may say if we omit the part which Hamilton took in the formation of the Constitution), and which had been ruled almost uninterruptedly by Southern Presidents, from its commencement in 1788 down to 1824, only four years from the time of which I am speaking, had a firm grasp on their affections. The Northerners might be willing to break off their connection with the old Union whenever it might seem to suit their interests to do so; and it was not so very long since some of the New England States had threatened to take that step. But the South could not do so with such carelessness. She could not yet make up her mind to desert the Union, cruel stepmother though it had been; and she determined to try and bear with her wrongs a little longer, on the chance of things taking a more favourable turn.

It would perhaps be doing injustice to the North to say that she did not partake in these generous sentiments, and that the only notice she took of them was to trade on them. I think it is not impossible that she—that is, her representatives in Con-

gress—would have been heartily glad to let things remain as they were, and been content with seeing her sister (for so they still called each other) prostrate at her feet, without stamping on her into the bargain. But unfortunately this gracious forbearance would not last for more than two years; for after about two years came back the old story—the canvassing for the Presidential election, the irresponsible wirepullers and caucusmongers, the bunkum speeches, the renewed promises to catch votes, the spur applied to the only too willing New Englanders to have a fresh dive into Southern pockets. The stump orators and newspaper editors who fanned the popular cry, might perhaps feel that there was no particular danger, though very silly people might say that there would be some discredit in following their inclinations; for the South would probably grumble, but would never do anything more. If she could stand the tariff of 1828, she could stand anything.

So in 1832 came the regular quadrennial clamour for more and more protection to Northern industry. The South was perfectly powerless to resist. For, beside the compact phalanx of Eastern voters determined to exact another pound of flesh, even though the process might drain away what little life-blood the South had left, stood, chafing at the chain which bound them, but unable to escape from it, the represen-

tatives not only of the North-Western States, but also of Kentucky, of Missouri, and (alas! that I should say it) of Louisiana. The South sees that against such an assemblage of purchased or interested votes she can do nothing, and that she must submit to be mangled again for the benefit of the North, unless she can persuade her rival to forego somewhat of her advantage. She makes a final appeal, not so much for justice as for mercy. There is no menace or bombast in her tones, but neither is there pusillanimity or weakness. We will hear her once more, and it shall be the last of my quotations. She speaks in a strain worthy of her English ancestry; and, as before, the voice is the voice of South Carolina.

"Let not gentlemen so far deceive themselves as to suppose that the opposition of the South to the protective system is not based on high and lofty principles. It has nothing to do with party politics, or the mere elevation of men. It rises far above all such considerations. Nor is it influenced by calculations of interest, but is founded on much nobler impulses. The instinct of self-interest might once have taught us an easy way of relieving ourselves from this oppression. But, Sir, we have scorned, in a contest for our rights, to resort to any but open and fair means to maintain them. The spirit with which we have entered upon this business is akin to that

which was kindled in the bosoms of our fathers when they were made the victims of oppression; and if it has not displayed itself in the same way, it is because we have ever cherished the strongest feelings of confraternity towards our brethren, and the warmest attachment to the Union. If we have been in any degree divided among ourselves in this matter, the source of that division has not arisen so much from any difference of opinion as to the true character of the oppression, as from the different degrees of hope of redress. All parties have for years past been looking forward to this crisis for the fulfilment of their hopes, or the confirmation of their fears; and God grant that the result may be auspicious. Sir, I call upon gentlemen from every section of the Union to meet us in the true spirit of conciliation and concession. Remove, I warmly beseech you, this never-failing source of contention. Dry up at its source this fountain of the waters of bitterness. Restore that harmony which has been disturbed. It is in your power to do it this day; there is but one means under heaven—namely, by doing equal justice to all. And be assured that he to whom the country shall be indebted for this blessing will be considered as the second founder of the Republic."

It was all in vain. The Northern majority insisted upon the Bill, the whole Bill, and nothing but the

Bill. The South had asked for justice at the hands of those whose motto was "Our country (our State) right or wrong." They had gone as near as possible to imploring mercy where no mercy was to be found. The only result was, that a more severely protective tariff than ever was passed through both Houses of Congress, by the sheer force of the numerical preponderance of the delegates for the Northern wire-pullers.

This was too much. Ever since, or nearly ever since, the beginning of the Republic's existence, every four years had been marked by a fresh thrust of the Northern lancet into Southern flesh. The victim had not complained much for a long time, while she believed that the duties were levied for the sake of revenue; but, after 1816, it had been more and more openly avowed that their object was Protection; and with the conviction that she was being bled solely for her neighbour's benefit came also the conviction that the process was draining away her life. The last straw had now been added to the burden of the camel; and the wonderful patience of the indigo States gave way. South Carolina, the most impetuous and high-spirited—perhaps at this time the richest in talent—of all the Republics of the Federation, turned to bay. She did not even yet wish to sever her connection with the Union, for

which she had fought so well in days of yore. It required twenty-eight years more of sectional legislation, aggravated by other causes of quarrel, to bring her to this pitch: but she endeavoured to make her adherence to it consistent with the welfare of her own citizens; and, with this view, she passed, in her own State Assembly, the celebrated "Nullification Act," which nearly set the whole of the Union on fire. By this Act the recently-imposed protective duties were set aside, as far as she was concerned, and foreign merchandise was admitted on the terms of the tariff of 1828, which, grievous as they were, the South had accepted, though sorely against her will, and from which therefore she felt that she could not honourably recede.

The Union was in a tremendous uproar. New England is frantic at the audacity of the Palmetto State, and raises a cry for war, much in the style of the more modern time. Above all, Massachusetts is clamorous for the use of force to bring back the rebels to their allegiance. Her leading statesman, a man of great ability, Webster, the John Bright of America, seems to have taken leave of his senses. "No shrinking from rebels!" this is his tone; "no abandonment of the sacred principles of protection; no compromise. New England requires a prohibitory tariff, and she will have it; there is no need to spoil our

game by making terms with Kentucky or Missouri. New England needs no allies." So the two States of the Union, which are most what may be called representative States, the most perfect instances that could be found of the two opposite characters which I described a few pages back, stand forth as enemies. The Cavalier is opposed to the Roundhead—the fiery hot-blooded Dara, to the bigoted cold-blooded Aurungzebe. Each possesses one of the foremost of the statesmen left to the Union. Webster heads the voice of Massachusetts: South Carolina is guided by Calhoun.

The rest of the Federation seem to stand for the moment looking on, as these two formidable champions face each other. Had they been conterminous, it is impossible to say what might have been the result. But, fortunately, there are many broad States between them, and neither can act upon the other without drawing along with him a vast mass of allies who are somewhat more difficult to stir. And while the slow process is going on, a mediator rushes to interfere, Clay of Kentucky.

No fitter mediator, either man or State, could have been found. Kentucky is a Southern State, and she is a Western State. Of old, she was a part of the wide dominion of Virginia; and when, by an act of the Federal Legislature, Virginia consenting and

approving, she set up for herself as an independent State, she did not sever herself from Southern feelings and sympathies, as did Ohio and the other Western States, which had also once belonged to the "Old Dominion." Not only are her sentiments Southern, but her interest is for free trade. But she has condescended to sell herself for a mess of pottage, which, being interpreted, is a duty on hemp, a great Kentuckian staple; and by that act she has ranged herself on the Northern side in the great battle of the tariffs.

Clay was no less fitted to be the mediator than Kentucky was to have produced the mediator. Along with Webster and Calhoun, he ranks on the foremost line of American statesmen of that time, or indeed of any time,—certainly not inferior to the former, probably not to the latter, and perhaps superior to both. He was a Southerner, and the South had every reason to be proud of him; and yet he was the founder of the "Whig" party, as it was called, which, splitting off from the great body of the Democrats on a purely personal question, by degrees was led to give itself somewhat of a Northern tinge. He was a decided Protectionist; but he thought that the doctrine should be of universal application, and be made to benefit the South as well as the North. He thus was fitted to stand between Webster, who held that there should be a high tariff as a protection to the interests of New

England, and Calhoun, who held that, at least for any protective purposes, there should be no tariff at all.

He now came forward with a proposal for compromise, which in brief was to the effect that there should be a gradual reduction of duties, the process to last over ten years, at the end of which time they might be brought to a point at which, perhaps, they might be tolerated; but that the principle of a high tariff, at least for revenue, should always be retained.

I say a *high* tariff, for no duty was to be reduced unless it was over 20 per cent; and even after the reduction, the *reduced* duties would not be under 10 per cent. So that Clay's proposal could not be considered extravagantly Southern; and the free-traders, if they had acted in the same spirit as the Northern Protectionists acted, might have said that it was not enough. But no word of the kind was heard. Calhoun declared that, so far from objecting to the delay of ten years, he should have opposed any bill which had had for its object to make heavy reductions of duty at once, on account of the great derangement it would have caused to Northern trade. I wonder whether, had the case been reversed, Webster or any other gentleman from Massachusetts would have made a similar declaration.

Probably not. For at the bare notion of being asked to surrender the least atom of the plunder

which they were hoping to gain from their Southern neighbours, Massachusetts, and all New England, set up a yell of fury. Webster could not see what all this fuss was about. There was no danger to the Union that he knew of, as Clay had pretended; and it was preposterous that poor innocent New England should be made to give up her darling duties, which were so profitable to her, to please the Southerners, or anybody else. If Jupiter's eagle could have spoken, he would probably have used much the same language when Hercules gave him to understand that he must in future look for his dinner in some other place than in the vitals of Prometheus.

I doubt whether even the enormous influence of Clay would have been enough to save the Union at this crisis. But fortunately America possessed at the moment of which I am speaking a fourth great statesman; and fortunately, also, he happened to be in a place where, since his time, great statesmen have not often found themselves — namely, the White House at Washington. This was President Jackson. Like Clay, he was a South-Western man. He was of Tennessee, a State which stands to North Carolina in the same relation as Kentucky stands to Virginia. Like Clay, he was the chief of a party. And unlike Clay, his life had been one long success. The two had passed their days in a bitter life-long contest, not for

a tangible issue, like that between Massachusetts and South Carolina, but one bearing a more personal character, and marked with a violence, unscrupulousness, and ferocity, at least on the part of their adherents, which surpassed anything hitherto known, even in the country which had witnessed the slaughter of Hamilton.* They had fought for the leadership of the Democratic party, which had remained in the hands of Jackson, the minority which adhered to Clay breaking off from the rest, and forming themselves into a new combination, under the name of Whigs. They had three times fought for the Presidency. The first time, Clay, hopeless of a success himself, foiled Jackson by flinging his whole weight into the scale of the younger Adams. The second time, the union of himself and Adams failed of success, and Jackson was triumphantly carried to the White House. The third time, the two great rivals met face to face. The result was as before; and Jackson enjoyed the honour of being President for two terms in succession. No President has done so since. After his second term, he was content with political greatness, and retired to pass the rest of his life in his native State, the object of a veneration which had pro-

* Hamilton, like his namesake the Duke of Queen Anne's time, had been murdered in a duel in a quarrel which was really, though not ostensibly, political.

bably been the lot of no other American statesman, since Washington. Clay passed *his* life in fruitless struggles for the Presidency. The prize was constantly being placed almost within his grasp, and snatched away just as he stretched forth his hand to take it. On one occasion he was foiled by the decision of the caucusmongers of his own party, to put up as candidate over his head an insignificant person, whose name was at first received with shouts of derision; and I think that it is the strongest proof that could be given, of the almightiness of the said caucusmongers, that the great Whig party, though frantic with rage and shame at their illustrious chief being so cavalierly set aside, still did not venture to resist the decrees of their masters; and they were driven like sheep to the poll to vote for the said insignificant personage, whose election they succeeded in carrying, and who very soon afterwards was literally killed by the fatigue and pump-handle work imposed upon him by the office-seekers by whom he was beset. The characters of these two eminent statesmen, Clay and Jackson, might form an interesting subject for a comparison, only it would be far beside my point. Perhaps it will be a fair way to express it, at least under some of its aspects, if I were to call one the American Gladstone, and the other the American Palmerston.

I have allowed myself to be carried away from the subject in hand by the mention of these two great names; for what I have to do with now is not their rivalry, but their co-operation. Differing in all else, they were agreed in wishing to keep their country at peace within its borders. They succeeded in doing so. Clay's eloquence, his earnestness of character, the warm affection with which he inspired his followers, gave strength to the appeals which he made to the Northern majority not to force on a civil war. Jackson, perhaps gifted with less power of speech, was more generally popular, and had the power, which Clay had not, of touching the national fibre. Perhaps of the two he was the least enthusiastically loved, but most generally liked and followed. Together they saved the Union. The power of the eloquence of the one, and the weight of the influence of the other, kept the impatient South from following the ardent Palmetto State into the breach, and relaxed the bands which held together the Northern coalition. Through their united influence the ten years' compromise, proposed by Clay, was agreed to by Congress.

The question, however, was not laid at rest. Fresh Presidential elections, with all their attendant evils, came again and again to renew the old subjects of bitterness; and when at length the decade of years

was past, and the Union was definitely to have given up Protection, and to have confined the duties which it levied on foreign merchandise solely to what was required for purposes of revenue, the influence of the North was strong enough to re-impose heavy duties, avowedly with the old object; and the wave which had threatened ten years ago to sweep the Union away, returned with the same weight and violence as before.

It seems that its force was somewhat deadened by the idea which prevailed in the South, that the Western States, which had been growing all this while in wealth and population, would see that it was for their interest to resist the pretensions of New England, and unite in cutting the tariffs down. At the time of the Convention by which the Union was established, it was one of the arguments by which the South had been induced not to press rigorously for Pinckney's proposed two-thirds vote, that the Western States were likely to be as much opposed to protective duties as she was herself, and that their united strength would be enough to keep New England in check without the need of any such safeguard. And I think it was some such notion which prevented any repetition, on the part of South Carolina, of her Nullification Act. The Western States were, it is true, induced at the moment to offer to sell their support for the offer to

protect their private interests; but it was thought that the time must come when they would see that their true welfare consisted in freedom of trade; and that the duties which the Northerners had flung to them, like a bone to a dog, were not so much advantages as palliations of an evil, and that they had better be rid of them altogether.

Jacob of New England saw this perfectly well, and cast about for some plan to obviate it. He did not altogether like the plan of bribing the Western States, for of course a protective duty which he did not profit by himself, was, so far as it went, a loss to him; and he had expressed this pretty distinctly when he was asked to protect indigo. At last it occurred to him that a subject could be started which might, with the North-Western States, answer nearly as well as that of protection for their industry, and would at the same time cost nothing. And if it would lose him the support of Kentucky and the States of French origin, it would have the counterbalancing advantage of dividing the North-West irrevocably from the South-West, and throwing the whole of the great region between the Ohio and the British frontier into his arms; and it would thus make a united North, bound together by sentiment as well as by interest, and able to present a compact front to the South. That subject was Negro Slavery.

# CHAPTER IV.

## THE QUESTION OF SLAVERY.

We have at length introduced the subject of Slavery; and it remains to be seen how much it has had to do with secession and the war.

The advocates of the North seem to maintain that this institution is the sole cause of what is going on in America. Some of the advocates of the South maintain that it has had nothing whatever to do with it. If the account just given of the battle of the tariffs is believed, I think it would be allowed that the former are mistaken. I am not without a hope that I may succeed in convincing the latter that they are mistaken also. They may make the admission without its doing them any harm.

The subject appeared at the end of the last chapter, as that by which the North-Eastern States hoped to secure the assistance of those of the North-West in their war against the South.

Not that the great West had any objection to slavery on its own account. The dislike which it had to the "peculiar institution" rested on two grounds—first, It enabled the niggers to exist and to multiply; secondly, It enabled them to compete with the whites. Now, when they were free, they did one of two things. In a cold climate, and among an unfriendly people, they became frightfully demoralised and diseased, and generally died off like rotten sheep, as at New York, and generally through the Northern States, and even in British North America. In a warm climate, and where they were not persecuted, they spent their days in doing absolutely nothing, trusting for their subsistence to the bounty of unassisted nature, as they did in Jamaica. It was only in the Slave States of the Union that they were in anything approaching to a flourishing condition; and therefore it was only there that their competition was to be dreaded. It would be very unfair to the Western States to say that their sturdy and vigorous citizens are seriously afraid of competition, or that they did not consider themselves fully competent to whip all creation, from the Britishers to the niggers. But the truth is, they hated the negro to an extent which amounted almost to a disease; and they wished him to be improved off the American continent. As

long as the institution of Slavery lasted, there would be States in which it would be an object that they should live and thrive and increase; and in that case it would be difficult to prevent them from spreading into other States. It was in vain that they passed laws to prevent *free* blacks from entering in, and contaminating their sacred soil. They could not keep them out altogether. And the contamination was not altogether ideal. They were a thoroughly worthless and degraded set of mortals, who crowded together, breeding diseases of every kind, moral and physical. The jails and hospitals were crammed with them to an extent which, when considered relatively to their total number, was simply appalling. It is perhaps not to be wondered at that the Western States were anxious to be rid of them. And if emancipation would answer that end, why, let them be emancipated, and be hanged to them.

These feelings existed also in New England; but there they were combined with others. I suppose there never was a country where any sensation theory, or any new idea, was so sure to flourish, at least for a time, as in that region. The most extravagant notions that could be started, and which the most visionary dreamers in Europe would reject, were sure of finding welcome there; and the native genius was fully competent to originate ideas of its

own devising, which would cap the wildest absurdities that could be produced by France or Germany. From Communism to Bloomerism, there was nothing that they did not try, — founding communities in different parts of the country in order to be able to do so fully; and I think one colony was started in order to raise a practical protest against the mistaken fashion of wearing clothes. These realised theories, though they were constantly changing, became a recognised fact in the social relations of New England; and the "Isms," so they were called, grew to be a regular national institution, to be taken into account by the political wirepullers. It could hardly have been expected that in such a country the doctrine of abolitionism should have had no place. It was always rather powerful; and after the English West Indian experiment, it became more powerful than ever. There was one part of the English precedent which its supporters did not care about copying; and that was compensation to the slave-owners. Immediate, unconditional abolition, that was what they required. They would listen to no argument. It was of no use to say that slavery was an affair of the States, and not one for the Federal Government at all; the answer was, that slavery was a sin, which the Federal Government ought to put down, whether it had any legal

right to do so or not. It was of no use to say that it was recognised by the Constitution; the answer was, that it should not have been so recognised. It was, of no use to say that emancipation would be inflicting a grievous wrong on the possessors of slaves; the abolitionists replied that the possessors of slaves could not be wronged, as they had no rights. If it was urged that such a measure would lead to the extermination of the blacks and the ruin of the whites, and would reduce many of the Southern States to a desert,—if it was pointed out what results had followed from sudden emancipation, in a violent form at San Domingo, and in a milder form at Jamaica, there came the eternal reply, "Fiat justitia, ruat cœlum." Better that the Southern whites should be ruined, better even that they should be massacred; better that the vast regions now cultivated by slaves should return to their pristine condition of jungle; better that the blacks should loiter away their lives in idleness or worse, better even that they should perish off the face of the earth, than that the vile institution of slavery should continue to exist on the continent of North America.

These theories were reinforced and strongly supported by stories of individual cases of negro suffering, and cruelty on the part of the masters, which

were brought from the South. Many of these stories were no doubt true, though probably much exaggerated by the transatlantic love of sensation; but it is likely that for one that was true, there were several that were false; and as soon as it was discovered that the North had a great appetite for these anecdotes, as they could be made to serve a political purpose, the market was speedily supplied with plenty of horrors, manufactured for the purpose of gratifying the abolitionist taste. These were made the staple of inflammatory speeches at anti-slavery meetings, fervid newspaper editorials, and all the machinery of agitation; and the feeling of Jacob towards Esau became such as ought not to prevail between brothers in a well-regulated family.

The effect produced in the South by these proceedings was as might have been expected. What had been regarded as an unavoidable evil came to be regarded as a national palladium. I suppose there is very little doubt that at one time the institution of slavery was more objected to among the Southern States than anywhere, except perhaps among the Quakers of Pennsylvania. I do not suppose that they were so far ahead of their fellow-creatures as to object to it on the grounds of humanity; but object to it they did. On that point of the system of slavery which is most inexcusable in theory and has

been most cruel in practice—namely, the African slave-trade—the Southern conscience is remarkably clear. They have had, all through their history, a long struggle to prevent its introduction against both Old England and New England. Without raking up old stories against England to prove her guilt in the matter, about Queen Elizabeth and Charles the Second, the *Assiento* clause in the treaty of Utrecht, and the demeanour of the House of Commons thereanent, I must mention one little fact which, I think, should make us hesitate a little before talking too loudly of the guilt of the Southerners in possessing slaves. It is this. One of our colonies, which is now one of the Southern States, passed a law, somewhere about the date 1750, to prohibit the introduction of negroes from abroad; and this law was repealed by order of the British Government, and the colonists forbidden to meddle with the subject again, as they were interfering with a trade that was very profitable to a large number of British merchants. The colony which thus had slavery forced down her throat against her will by our ancestors was no other than wicked, rebellious South Carolina, the Southernest of the Southerns, the cradle of secession. The other representative State of the Confederacy has a similar story to tell. In the manifesto in which she declared herself in rebellion against George the

Third, Virginia gave as one of her reasons for doing so, the unpardonable proclamation of Lord Dunmore calling on the negroes to revolt—"those very negroes," said the document, "whom by an inhuman use of his negative, he [King George] has prevented us from excluding."

I have mentioned the two most prominent States of the Confederacy, and I need not mention any more. Is it not strange that we should consider Virginia and South Carolina to be worthy of epithets which would be rather strong if applied to the chief of the Taepings or the King of Dahomey, because they *possess* in the nineteenth century what in the eighteenth century we should have considered them rebels if they had refused to *increase?*

So much for Old England. Now for New England, and with New England the cognate States of New York, New Jersey, and Pennsylvania. As soon as these Northern States discovered that slave labour was unprofitable, they began to vote their negroes a nuisance, and try to sell them to the South. But the South would not have them. The laws of all her States contain provisions against their importation, at first for purposes of merchandise, and finally, in some cases, for any purposes whatsoever. The obstinacy with which the North strove to elude these laws, and try and force negroes upon the South by

fraud, as our Government had done by force, may be seen by the increasing severity of the penalties attached to the offence. It would be extremely tedious to go into details upon this matter. It will be enough to take one example—Maryland. Maryland is a frontier State, lying to the south of the Potomac, and more exposed to the dreaded evil than any of her sisters, even Virginia. Here are the penalties for introducing negroes under her law:—

In 1791, it is forbidden to bring in slaves for purposes of sale.

In 1797, it is forbidden to bring them in at all, except under certain limitations. A penalty is added —the forfeiture of the slaves, who become free.

In 1809, it is enacted that any person bringing in a free negro or mulatto, or one bound to remain only for a term of years, with intent to sell him as a slave, shall be fined 800 dollars, or be set to work on the roads for five years (or less, if the court sees fit).

In 1810, the penalty is increased. The offender is to be imprisoned, the term of imprisonment varying from one year to five.

Since then it has been enacted that any person who comes into the State shall take an oath that he does not bring with him any slaves at all; and in the case of *bona fide* residents, who are exceptionally allowed to bring in slaves for their own service, it is

forbidden to bring in any who, or whose mothers, were not residents in the United States before 1794; and in all cases such slaves have to be registered, with names and full description.

I have mentioned one object which the North had in trying to push her negroes down South—namely, to get rid of them. But there are other less innocent, or at least less excusable motives. Our friend Jacob is a great slave-trader; and of all the communities where he dwells, the keenest and smartest is godly Massachusetts. The first American ship that ever took part in this traffic sailed from the port of Boston. Oh! godly New Englanders, who listen to Henry Beecher and Anna Dickinson! if all slaveholders must fall into the gulf when they pass the bridge of Al-Sirat, where must your ancestors be?

However, even this is not the worst of it. If Jacob was a slave-trader, he could plead the example of his mother, not Rebecca, but Britannia. He keeps it up long after she thinks it barbarous and wrong, and has left it off; but some people find it more difficult to break themselves off bad habits than others, and we must try and make allowances. Only he has got into another habit, for which we fear no sort of palliation is to be found—that which we have seen pointed at by the laws of Maryland. He is in the habit of kidnapping free negroes for the purpose of

selling them as slaves. New England, and with her Pennsylvania, New Jersey, and New York, should institute a day for national fasting and humiliation for this disgraceful practice; and the recollection of it (assuming that it is only a recollection) should stop their mouths, when they are disposed to indulge in any tall talk about the negro.

But *if* this kidnapping does not go on any longer, it is thanks, not to the conscience of the North, but to the opposition of the South. The Southern States have acted on this point with singular unanimity. It is considered in all of them an offence of the deepest dye, and is punished with a severity which even to us seems rather surprising. Most of them visit it, as Maryland does, with either fine or imprisonment, or both—the amount of one, and the duration of the other, varying in the different communities. But the two States, which I should call the representative States, exact more than that. By the laws of South Carolina, the offender receives a sound flogging. Virginia has made the penalty for it *death;* and she has been followed by Alabama.

The truth is, that the Southern States have been really desirous to get rid of slavery. In the Convention which founded the Constitution, the speakers who condemned the institution most strongly were Southerners; and any attempts at legislating in fa-

vour of it were on the part of the Northerners. The utmost that the South did in its behalf was to protect against any interference with State rights which legislating on the subject might entail. I will give an example. There was a proposal to prohibit the slave-trade by an article in the Constitution of the Union. South Carolina voted against it, on the express ground that it was not a subject for Federal legislation at all; and that this was her reason *bona fide*, and not a hypocritical pretence, she showed by passing an Act in her State Legislature to forbid that trade in the very same year.

The laws of Virginia betray something like a nervous anxiety to diminish, at least to prevent the increase of, the slaves within her borders. She not only prohibits, as Maryland does, the introduction of slaves except as the property and for the use of *bona fide* residents, but provides, even in the case where it is permissible, that the importer, for every slave that he thus introduces, shall export a young slave woman (between ten and thirty years old), within three months. I do not know that this regulation was a very good one from the negro's point of view, but at any rate it disposes of the charge of breeding slaves for the market, of which Virginia is accused by the inventive genius of New England, and which was stated once in Parliament by no less a person

than Lord Palmerston—not uncontradicted, however.

I think it is very likely that slavery would, by degrees, have disappeared, at least from what are called the Border States—*i. e.*, Delaware, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Missouri, and Arkansas—by the same process which had carried it out of the North. It is true there was not the same reason for getting rid of it as there was in the North, because negro labour was not impossible in the Border States; but, on the other hand, neither was white labour, at least generally—and of the two sorts the latter was that which Virginia and her sisters preferred. What was to have been done with the slaves would have been a difficulty, in the teeth of the stringent laws which South Carolina and *her* sisters, the Gulf States, had passed against their introduction; but it is not unlikely, considering the wide extent of land which they had not population enough to occupy, that some arrangement might have been entered into for the advantage of all parties. In the Gulf States, I do not see how slavery could have been dispensed with. The climate would not admit of white labour; and the example of Jamaica was not encouraging to try that of the blacks, unless in the capacity of slaves.

Something might have been done, and may still,

to elevate the blacks to a state fit for freedom, but that would be an affair of time. I think it may fairly be laid to the credit of the Southern States that they have done their best in that direction. The condition of a slave is one of the steps by which the negro may be lifted from the level of the African blacks to that of men who can be supposed to take part in the government of their country; and the laws of the Southern States have lifted them much more than half-way. The average negro of Georgia or Louisiana is far nearer to the condition of a voter in a Presidential election, than he is to that of a subject of the King of Dahomey; so, perhaps, having done so much, the Southerners may do more. In the mean time they can hardly be blamed very much for not emancipating at once. To do so would be to reduce their country to a jungle, and themselves to paupers.

I wish as far as possible to keep clear of the question of slavery in the abstract; and I have only been induced to write on it at all, because there has been so much nonsense talked about it, *de part et d'autre*, that I have been tempted to say more about it than I intended. On the anti-slavery side there has been, if not mendacity, something very like it; and on the pro-slavery side there has been at least a false philosophy. I will show what I mean. I feel I am rash in trying to do so. But the question ought not to be blinked.

As to the first, without entering into the raw-head and bloody-bones stories, which find favour in the eyes of those who like that sort of thing, and which probably contain ninety per cent of falsehood to ten per cent of truth, I will take one instance of what is said against the South. It is asserted that, in Louisiana, it is the practice of the masters to work their slaves to death in order to save the expense of keeping them after they are superannuated; and this is not brought as a charge against individuals, but is said to be the custom of the State. Now, this assertion is in a sense true, and in a sense false; and it is difficult to say in which sense the making of the charge implies the greatest effrontery. As far as the Southern masters are concerned, it is false. And it is remarkable that, while all, or nearly all, the States of the Confederacy have laws regulating the conduct of masters to their slaves, prescribing due attention to be paid to their health and comfort, and prohibiting cruelty, the most stringent and exacting in this way are those of this very Louisiana.

But while the negroes of the State of Louisiana, speaking generally, are perhaps the happiest and the best looked after of those of the whole Confederacy, there is one part of the dominions of that State with regard to which the assertion is perfectly true; and that part is the part occupied by the Federal armies.

Wherever the Northerner has passed in the Southern States, misery, desolation, and death have followed in his track. More than anywhere else has this been the case in Louisiana, where he has not only passed through, but planted his foot, and endeavoured to settle. The whites have generally derived increased energy from the indignation which these oppressions excite, and their character has been rather strengthened than weakened thereby. With the poor blacks it has been different. There are frightful accounts from Northern sources of the state of negroes in the Federal camps in that region. They are told, poor wretches, that they are free, under the President's proclamation; but that freedom does not mean freedom to be idle, and that they must make themselves useful in the way that they are directed. Consequently they are obliged to work much more than they were allowed by law to work before, and then huddled together, men, women, and children, in the most wretched and unhealthy abodes, where no sort of care is taken of them, and no sort of supervision exercised over them. Quantities of these miserable beings are collected by the Northern troops in the plundering raids which they make about the country, by the simple process of shooting them if they refuse to come; and they are driven together into these places, often the unhealthiest in the country, in the

swamps of the Mississippi; and there, ill-lodged, ill-clad, over-worked, under-fed, and demoralised to a frightful extent, they learn to appreciate the benevolence of their Northern deliverers, and to bless the name of Abraham Lincoln. I should not have ventured to use this strong language only on Southern authority; but it rests on the testimony of Northerners. These camps are instances at once of a pandemonium and of a charnel-house.

Enough of this. Now let us look at the pro-slavery arguments. Of these there are principally two. The first is as follows: "It is ridiculous to talk of emancipating the blacks. They are not fit for it, and what is more, they never will be. They are physiologically incapable of it. The anatomical study of the negro's brain shows him to be of a different order from the white race. You may, if you please, call him a man, for he certainly is one, as a donkey belongs to the *genus* horse. But for all that you will never make a donkey the equal of a horse; and you never will make a negro the equal of a white man. Anatomy and physiology have been interrogated, and the response is, that the African or Canaanite is unfitted," so at least says Dr Cartwright, "from his organisation, and the physiological laws predicated in that organisation, for the responsible duties of a free man. It is the defective hematosis or atmo-

spherisation of the blood, conjoined with a deficiency of cerebral matter in the cranium, and an excess of nervous matter distributed to the organs of sensation and assimilation, that is the true cause of that debasement of mind which has rendered the people of Africa unable to take care of themselves. Indeed," he adds, "religion forces us to believe that the negro race ought to be held in servitude; else, what is the meaning of the text, 'Cursed be Canaan! a servant of servants shall he be to his brethren.'"

"Well, my friend," is the answer, "we are not to trouble ourselves about fulfilling Scripture prophecies. If they are inspirations from heaven, they will fulfil themselves without our assistance. And to make slaves of the blacks in order to keep up the credit of Scripture, is like keeping the Romans under the Pope's paternal misgovernment, in order to prove that it is the manifest destiny of the Church to have temporalities. But putting that aside, what right have you to call this text you quoted a Scripture prophecy? Does it come from Isaiah, or Ezekiel, or Malachi? Is it not rather the expression of Noah's anger, uttered when awaking from a drunken sleep? And, further, who told you that the negroes were the descendants of Canaan? The Canaanites of the Bible and of the old Egyptian records are not represented as negroes. They seem to have been more like Arabs.

In fact, the Egyptian records prove this abundantly. The same Pharaoh often had wars with both the Canaanite and the negro. So far from their being identical, they were respectively situated on opposite sides of Egypt, so that the Osirtasen or Rameses had to go northwards to get at one and southwards to get at the other. And in their paintings the negroes are of course represented as being black. The skins of the Canaanites are coloured yellow." The mention of the Egyptian records brings to our mind another argument, which we think of some force. "I can't answer your sonorous physiological argument, as I have no knowledge of the science. But if we may trust the hieroglyphic inscriptions, and the mural pictures of Egypt, we shall find that, in spite of the want of cerebral matter in their crania, the negroes had attained four thousand years ago a place in civilisation, and even in art, equal to those of the foremost nations at that time, and that at a period when the remote ancestors of the dominant race, which now condemns them to perpetual inferiority, were not Americans, were not English, were not Anglo-Saxons, were hardly even Teutons, but were just beginning to take the first steps in the career of civilisation; just beginning to exchange the pastoral for the agricultural life in the home which they shared with the forefathers of the Celt and the Sclavonian, the Greek and the Latin, on

the skirts of the Hindoo Koosh, and in the valleys of the Oxus and the Jaxartes. It is true that the African has fallen almost as far below the level of his ancestors of those days, as the Anglo-American has risen *above* the level of his; and it is fair to make any use that you can of this fact for the purposes of argument. But let us hear no more of hematosis and cerebral matter."

Having answered to the best of our power the first and the most confident of the advocates of slavery, let us listen to the argument of the second. It is a more specious one. "The blacks," says the Southerner, " are very well off as slaves. There may be individual cases of tyranny, as there are everywhere; but cruelty is strictly forbidden by law, and, what is of more importance, by public opinion. A man who ill-treats his negroes, is looked upon as unfit for the society of gentlemen. Not only do the laws provide that the slaves (if you insist on the term—we do not use it ourselves) shall not be cruelly used, but they require that they shall not be made to work more than a specified time; that they shall be properly clothed and fed, and have medical attendance when required. In fact," he adds, " I wish we could have white free labour down here. It would be much cheaper. I believe our negroes are the happiest and most contented race of mortals on the face of the globe. They have

the civilisation which you boast of as the privilege of the British labourer, and a freedom from care and lightness of heart which he has not, and cannot have."

Much of this, I believe, is true; though, assuredly, not without many grievous exceptions. However, we may so far accept it as to believe him generally right. In order to answer it, we must take rather higher ground. "You have proved your point," we may say, "as far as you go: but you must not push your argument *too* far. Gaiety and light-heartedness are good things, but they are not the best. I do not speak from a religious point of view; for in that light I fancy you would have still something to say. But, putting that aside for the present, does it seem to you that the content and freedom from care which you claim for your negroes is the highest form of happiness? Do you find that the persons or the nations who are most lively, who have most animal spirits, and who most exhibit them, stand the highest in the scale? Compare French and English society in the middle of the eighteenth century. Which was the gayest, and which had the most sterling worth? Or compare the Englishman and the Irishman of the present day; or, in order not to get complicated with the question of race, compare Paddy with his brother Celt, the Scotch Highlander. Or the Tuscan and the Neapolitan. Finally, to take a

case which is at the root of all, compare the happiness of the child with that of the man. We hear endless commonplaces about the happiness of children. Would any man who had not had misery enough to make him desperate, like to have his mind taken away, and become a baby again? They say that the inmates of convents have very high spirits, and great hilarity. Some people think it is reaction from misery. I know that you, being a Louisianian Roman Catholic, do not think so. But I ask you whether you would wish your daughter, who is just going to come out, and looks forward to doing so, to become a nun? She will probably marry some day, and is likely to have a good deal of trouble and care before she dies. She might avoid this by going into a convent. Do you wish her to do so?"

I shall be told that these arguments do not meet the case of slavery particularly, and that they would be equally applicable as addressed to the sovereigns of countries where the system is despotic. And I admit this. The nations of the world, I think, stand on different steps of the ladder which mounts up from the lowest barbarism to the highest privileges of civilisation, or rather I should say the hill, on which they are ranged at different heights, and on some sides of which the ascent is shorter and easier than it is on others. The lowest zone of the hill is

barbarism. Even in that there are different altitudes, from the ancient Teutons or the modern Afghans down to the inhabitants of the Andaman Isles. The next zone is that of personal servitude or slavery. Then comes prædial servitude or serfdom. Then personal freedom, but political servitude, or despotism. Then freedom, both personal and political; and finally, the right to take part in the government. The lines which separate these zones from one another are, if I may so express myself, extremely wavy and irregular; so that individuals, or even large bodies of men, in any of the lower zones may be actually further from the base of the hill, and nearer its top, than others who belong to higher zones. Still the general effect remains. I think it is undoubtedly the duty of those who have it in their power, to do their best to raise their fellow-mortals from lower zones to higher ones. The present Emperor of Russia is covering himself with honour by his endeavours to raise the serfs to freemen; and Duke Ernest of Saxe-Coburg is trying to perform the same work on a higher stage. But I do not know that if they had not taken the course they have done, they ought to have been very violently abused; and, on the same principle, one does not see why slave-owners should be so for not emancipating. It is true, that the lower the zone the stronger is the

obligation to raise those who are in it. It would be absurd to contend that sovereigns, generally, ought to descend from their place in order to place themselves on a level with their subjects, like the ancient despot of the time of the Achaian League; or that England ought at once to extend the franchise, whether the classes who are to get it want it or not. The difference between these cases and that of the slave-owner is only one of degree. And both with regard to the electoral franchise and to slave emancipation, it may be possible to advance too hurriedly; and in that case, our philanthropy does more harm than good. We are said (I do not wish to express any opinion) to have made mistakes in both ways—in the first, in the Ionian, in the second, in the West Indian Islands.

"But," says the emancipationist, "do you mean that as it is the duty of those who can do so to raise their fellows from lower levels to higher, and the lower the level the stronger the obligation—do you mean that those who kidnap African savages to sell them as slaves are to be regarded as public benefactors? Your argument looks rather like it." The retort is a telling one. But the answer is not far to seek. No. The kidnappers have no business to do it, even if they were to do it on the purest principles of philanthropy, and not to fill their own pockets,

and if the middle passage was the most charming of all kinds of locomotion. The same rule applies all the way up the hill. Take cases from the other zones. Lydiadas was a patriot and a hero for laying down his sovereignty, believing, as he did, that his subjects were worthy of his act; but I do not know that Aratus would have been justified in making war against him to compel him to do so. Probably Aratus *would* have taken that course, but that is neither here nor there. And what should we say if a French army were to land for no other reason than to confer upon Englishmen the benefits of universal suffrage? A philanthropic kidnapper might be paralleled by President Lincoln, according to his own account of himself. As the case really stands, one might leave out the adjective. But I have a stronger argument yet. And that is, that slavery, though one way, is not the only way up the hill. There are other ways, and better ways. The Jesuit colonies were doing an immensity of good in civilising South America when they were knocked on the head by the jealousies of governments. And there are other ways besides. But slavery is the way by which civilisation must be brought to the blacks of the Confederacy. It is not the fault of their masters that such is the case. They did not seek the slaves, and, in fact, tried to keep them out. It is the fault of the European

Powers—of France, of Spain, and of England—that they have them. And however they came by them, there they are; and while I contend against our friend who spoke first, that slavery ought not to be looked forward to as the best fate that could befall the negroes for ever, I think that with the example of Jamaica before their eyes, the Southern whites are justified in not being in too great a hurry in taking a step which might consign them to ruin and starvation. We have spoken of Lydiadas. Do you recollect that other Greek tyrant of a much earlier period, who wanted to do as he did, and who, finding out before it was too late that his surrender would probably consign him to prison and to death, changed his mind, and seized the tyranny with a firmer grasp than before? Was Mæandrius a villain for doing this? Would he not rather have been a fool if he had not done it?" *

* I am afraid the whole of this argument may seem rather absurd, not only to those who believe that the Southern slave-owners, as a rule, are ruffians and tyrants, but also to the Southerners themselves, or their defenders, who maintain that they cannot be blamed for inheriting the slaves, and that the utmost that can be expected of them is, that they should treat them well. I confess I think there is a good deal of truth in this; and I cannot resist a slight feeling of amusement at my own arguments. But when people gravely make the fact that the slaves are contented into a matter of blame against their owners, on the ground that they ought not to be allowed to be contented with such a condition as they are in, and that their

superiors ought to think it their duty to make them wish for freedom, I cannot avoid admitting that what they say is true, in a sense; only we ought to be quite sure in *what* sense it is that it is true. And, at the same time, one has to guard against the slave-owner who may be provoked, by hearing what to him appears absolute nonsense and balderdash, into saying that the niggers do very well, and that he thinks they ought to be kept as they are, for the benefit of themselves as well as their masters. Gentlemen of the old school have objected to the education of the lower classes, on the ground that it would only make them discontented; and I suspect that a good many advanced Liberals would not be over-anxious to see their factory-hands or farm-labourers in possession of the franchise, even if they were not unfit for it. Probably they are wrong: but they would hardly think that it would be fair to "exterminate" them for their mistake.

# CHAPTER V.

## THE BATTLE OF THE TERRITORIES—SLAVERY AND FREE SOIL.

I HAVE been led off the scent by this discussion on slavery, and have almost lost sight of the point which was the sole excuse for bringing it in at all —namely, its bearing on the history of the Union. Perhaps it is a palliation and perhaps an aggravation of my fault to say that I have been as brief as I could about it, and in some ways too brief to be quite clear.

To return then to the history. I said a short time back that, whatever might have been the case with the Gulf States, the institution of slavery would probably have perished out of Virginia and her neighbours of the Border. But the anti-slavery cry put a stop to that prospect. The Border States, perhaps, might have got rid of slavery if they had been left to themselves; but they had no idea of

giving it up on compulsion. Not that any attempt was made to legislate against the institution in Congress. The Constitution was too clear on the subject to make any such attempts at all likely to have any chance of success. But the Abolitionists did what was quite as bad and quite as unconstitutional. In those States where they could command a majority, they passed in the State Legislatures what were called Personal Liberty Bills, which were in fact nullifications of the Fugitive Slave Act. It may be said that these Bills might be unconstitutional, but that they were outbreaks of a noble and generous detestation of the great crime of slavery. But, putting out of the question how far this noble impulsiveness is characteristic of New England, one can understand the Southerners' objecting to their neighbours breaking the law in order to be generous at their expense. There is no doubt of this, that the first Personal Liberty Bill that was passed broke the Federal compact, and might have been held to have destroyed the Union. So that even if secession had been unconstitutional in itself, it would have been *made* lawful. The South does not require this defence for doing what she had anyhow every right to do, both legally and morally. But there is no harm in setting up this additional buttress to support the building, though it is firm enough without it.

However, this was not the worst part of the business. These Personal Liberty enactments were not very injurious, for I fancy the occasion for putting them into execution did not very often arise, as the Northern States were not such a paradise for the negroes that they often tried to avail themselves of them. And though they were insulting, they were not insults that the South was obliged to notice. But the anti-slavery or rather anti-slaveholder howl that was raised and echoed from platform to platform through many Northern towns, could not help being noticed. It formed the staple of newspaper articles. It was worked up with highly-coloured incidents in sensation novels. It furnished matter for declamation to Northern stump-orators. It was fulminated in the strongest phrases that could be picked out of the Bible by Northern preachers. To people who were with difficulty labouring under the grievous yoke imposed upon them by Northern Protectionists, and who were endeavouring to bear it in order to save the Union, it must have been almost maddening to hear those very Protectionists, who were fattening upon their misery, clamouring to take away from them their only means of living, cursing and denouncing them in the most unmitigated language, and calling the Union a union with death and a covenant with hell, because Southerners were included in

it. It is in order to keep up this covenant with hell that the denouncers have caused the slaughter of a million of human beings, and the desolation of nearly half a continent. ! ?

These two great causes of quarrel, Protectionism and Abolitionism, may be said to be the chief elements in the history of the Union. They act and react upon one another. The selfishness of the Protectionists was sanctified, and the zeal of the Abolitionists sharpened, by the fact that their objects coincided. Like the priests of Bel, they offered up the sacrifice with much religious pomp and loud invocations of their deity, and then took care to secure the offering for their own consumption. It was a godly alliance, to be celebrated with much upturning of eyes and much thanksgiving for being not as other men are,—to damage the Southerners, whose interests were opposed to theirs, without benefiting the tarnation niggers; and to smooth their path to heaven by strewing their earthly one with gold.

The irrepressible conflict between North and South was delayed by the fact that the great Democratic party was strong enough to hold in the infuriated extremes of both sections, North and South, without allowing them to come into collision. This party, the only one of the numerous combinations of which America has been so prolific, which can

trace its pedigree back to the foundation of the Union, has been, at least in this century, that which has deserved the name which I believe it is now trying to assume, that of Conservative. It was originally the party of States Rights as against the Union; it has become the party of States Rights for the sake of the Union. I fancy that so long as it was a question of protection and free trade, the Northern Democrats were sectional enough, for in that conflict the Northern champions, though the spirit in which they fought was anti-constitutional, used constitutional weapons. But when the Abolitionist cry was raised, their sympathies were checked. That cry was in direct contravention to the Constitution, and was certain, humanly speaking, to destroy the Union.

It was in the Middle States—New York, New Jersey, and Pennsylvania — that this party was strongest. I do not know that the character of those States was particularly attractive; but it was less the reverse than that of New England was. They were selfish, and they were disposed to run wild after new fashions. But both their selfishness and their love of new fashions inclined them towards the South. New York became socially, if not politically, the capital of the Union, as it was certainly its greatest commercial city — a sort of mixture of Paris and

Liverpool; and that it was so was in great measure the work of the Southerners. The wealthy Southerners used to come thither in great numbers. Of course their expenditure was very profitable. But this constituted only a part, and perhaps not the chief part, of their influence. The truth was, that the South was completely the *fashion*. The phrase, the "chivalry of the South," has often been laughed at when looked at in connection with some of the inhabitants of that section of the Union. But there is some truth at the bottom of it. Though in the outlying districts of the more recently settled States there are to be found as thorough specimens of the *genus* blackguard as exist anywhere in the world, yet in the older States of the South the phrase has a meaning. It is only in that part of the Union that you can find anything approaching to the country gentleman of England. It is only there that you can find families which, holding the same lands generation after generation for a long period of years, have acquired the self-respect, the habits of command, and the elevation of character which arise in a society which has been for some time in the possession of power, and the refinement which generally follows upon the possession of hereditary wealth. It is only there that you can find a class of men who can feel themselves strong enough to hold their own against

the wirepullers who exercise so baleful an influence in the North. It is only there that an *esprit de corps* can be found which can enable the more educated classes to profess and give effect to an opinion which is independent of the clamour of the moment. It is only there that the manliness and frankness which are supposed to arise from an open-air existence, and the habits of field sports, can be developed in any degree. The blood of the old cavaliers of England, coursing in the veins of the Virginians and Carolinians, was as much reproduced in them as that of their opponents, the Puritans, was reproduced in New England.

There may be a difference of opinion as to which of the characters, Cavalier or Roundhead—or, as I called them before, Esau and Jacob—is the best; but there can be no doubt which is the most attractive. The lively, freehanded, and perhaps somewhat arrogant Southerner, with his bold recklessness, and carelessness of money, might not be a match for the calculating precisian of New England, or the careful merchant of the Middle States, in the halls and lobbies of the Washington Congress; but he was far more than his match in New York society. Still more powerful was the influence of the Southern ladies. The beauty of the women of the South, though fully equal to that of their Northern sisters,

was perhaps not markedly superior. But they bore the bell in grace and refinement, and, besides, had about them that air of superiority which may possibly make its possessors detested, but which, when it has anything to rest upon, seldom fails to make itself acknowledged. The democratic equality of the North, though very jealous of every other kind of ascendancy, bent, in a manner almost unknown anywhere else, before the ascendancy of fashion; and over fashion the South bore almost unquestioned empire. It is said that at the beginning of this war, the feeling of the women all over the Union, North and South alike, was almost entirely with the Confederates. That can hardly be the case now. The 'Isms have triumphed in New England; and a new "shoddy" aristocracy has risen to the surface in the Middle States. Yet so overpowering is the tyranny of fashion, that I should not be at all surprised if it were found that that feeling exists still to an extent which people in this country would hardly expect.

However, the Southern ascendancy at New York rested on something better than feminine beauty and attractiveness, or "aristocratic" bearing and manners. Sir E. B. Lytton, in 'The Last of the Barons,' puts into the mouth of Edward the Fourth, whether with any historical foundation or not I know not, the sentiment about the dreary barren spot on which he landed

when making his last successful throw for the crown, and on which Henry the Fourth had landed when doing exactly the same thing—that if it could grow nothing else, it could grow kings. I think something of the sort might have been said of the South. None of the great merchants and capitalists of the Union, none of its poets and historians—Bryant or Longfellow, Cooper or Hawthorne, Irving or Prescott—belonged to the South. But, yielding to the North the pre-eminence not only in commerce, but in literature, she claims to have supplied the country with a far greater share of its statesmen and soldiers. The statesman of whom the North has most reason to be proud, Alexander Hamilton, was by birth a West Indian, and by feeling as well as by descent a Scotchman: in fact, had his life been prolonged, he would very likely have returned to end his days in the old country, in the county of Ayr, to which his branch of the Hamiltons belonged. Besides him, the North can point to only some four or five men who have left their mark in history; and most of them belong to one State—Massachusetts. It has been different with the South. The single State of Virginia might set up a Walhalla with a population superior both in numbers and quality to any that could be supplied by the whole North put together; and the other Southern States, though yielding the palm to the

"Old Dominion," are not unworthy to be her followers and colleagues. It has been the same with the army and navy. The history and position of the United States have not been such as to give its citizens much opportunity of acquiring very great reputation in those ways; but whatever reputation it has acquired has fallen principally to the share of the South. At the beginning of this war, the only general of any name whom the Republic possessed, the man to whom the task of restoring peace and order was at first intrusted, was General Scott, who had won in the Mexican war as much credit as could be obtained from such an enemy; and General Scott is a Southerner. The progress of the conflict has brought out the difference between the two sections still more strongly; and one hardly knows whether to be most surprised at the wealth of the Confederacy in military genius, or the poverty of the Federal States in that respect. Like everything else, this has its causes. The love of renown, the love of usefulness, the enterprise and activity, for which the Northerners found innumerable outlets—commercial, manufacturing, stock-jobbing, colonising, literary—had in the South (speaking loosely) but one outlet; and that was the naval and military service of their country. Into these professions, therefore, the Southerners flocked; they were not exposed to much competition on the part of

their rivals, as the army and navy, though no doubt very honourable, were not very lucrative: thus it came to pass that the greater part of the officers of the two services got to be Southerners. Not only was this the case, but the States themselves of that section learned to have something of a military organisation. For in that part of the Union there grew up military academies where the rudiments of the profession were acquired, and where instruction was given in its more scientific branches; and arrangements were made for securing to these establishments the supervision and inspection of officers of the regular service.*

Of course all this has helped to account for what we see in the present war. The qualities of the modern soldier—bravery, military knowledge, honourable feeling towards friends and foes alike, chivalry, humanity—have been as remarkable on the side of the South as the absence of them has been on that of the

* Since this was written, I have come across a curious statement as to the officers of the two sides in the present war, which may be considered as an illustration of what is here said. I copy it from the 'Index' of August 25.

"It is a curious fact not generally known, that General Grant, like President Lincoln (who, however, emigrated to Illinois in early youth), is a native of Kentucky. This s not an isolated case, a majority of the officers who have gained distinction in the Northern army and navy being born in the slaveholding States. Thus, General Thomas, who saved the Federal army from utter destruction in the city of Chicamauga, is a Virginian by birth;

North; and though the contest between the two sections had not then been as fully brought out as it has been since, yet the training and character which made a pressure of adversity produce such fruits as these, must have been discernible even then, and helped to create the ascendancy which the Southern citizens exercised at New York. The New England character, on the other hand—hard, greedy, selfish, unsympathising, yet not without a good deal of earnestness and principle, after a fashion of its own—had a repelling effect. And thus New York was divided in tendency. Interest and association connected her with the North. Her sympathies and antipathies alike drew her towards the South. It is no wonder that with her and with the other Middle States the Democrats should have prevailed.

On the slavery question, there is no doubt that the Democrats, and the States where Democratic influence

Admiral Farragut, who has just won the victory off Mobile, is a native of New Orleans; Captain Winslow, of the Kearsarge, a native of North Carolina, and his first lieutenant of Virginia. These instances could be considerably increased, and if collected together would give a curious total result. The only counterpart in the Southern armies is to be found in the cases of General Pemberton, a native of Pennsylvania, and General Lovel, appointed from New York (but born in Maryland); and by a strange fatality of coincidence these two names are identified with the two greatest reverses of the Confederate arms—the fall of Vicksburg and of New Orleans."

was strong, were with the South. In the first place, they had no particular interests in connection with that question, as they had on the tariff question, to outweigh their likings and dislikings; and in the second, while the Constitution left it open to them to legislate on the tariffs as the majority might please, on the question of slavery it distinctly asserted that there was no such power; and certainly New York did not care about breaking the Constitution for the sake of the niggers, or the Abolitionists either. But unfortunately, whether through luck or good guiding on Jacob's part, the two questions got twisted together on one particular subject, in such a fashion as to unite the whole Protectionist body of the North in one mass as opponents of slavery, and that in a way in which there could be no question of the Constitution. That subject was the admission of new States.

At first this did not seem a question about which much antagonism need have arisen. It was the interest of the South, most especially, that new States should be formed in the Union. As we have seen, the expectation that they should be formed was one of the arguments which induced her representatives in the Convention not to press as strongly as they should have done for the two-thirds clause about the tariffs; and when Virginia surrendered to the Union the whole of those vast territories, from Pennsylvania to

the Mississippi, out of which the Western States have since been formed, she could have had no idea that her surrender could ever be turned so as to operate against herself. But the dislike which grew up in those States towards the negro being made use of by the Eastern Protectionists in furtherance of their own objects, caused this apparently harmless question to become as dangerous a bone of sectional contention as that of the tariffs themselves.

At first sight, one does not see why it need have done so. There seems to be no question that these States ought to have been admitted as slave States. Not that the fact of Virginia having once been mistress of the territory east of the Mississippi, and Louisiana of that to the west of it, ought to have affected the laws of the new States after their original connection was severed; but the territories in question, having been ceded to the Union, belonged to the *whole* Union, and ought to have been equally open to the citizens of every part of it; and it might have appeared preposterous that one cluster of States should combine to keep the citizens of the others out of the lands to be settled; for, of course, while the fact of negro slavery being permitted did not lead to the exclusion of Northerners, the fact of its being forbidden would lead to the exclusion of Southerners. The Northerner might go where he

pleased, into free and slave States alike, and take his property with him; but to a Southern slaveholder emigration into a free-soil State implied the confiscation of what probably was the most valuable part of *his* property.

Strict justice, therefore, would demand that, as I said, all new States should be slave States, or States in which Northern and Southern citizens might alike settle as colonists and find their own level; but there was very little doubt what that level would be. The condition of all the Western territory as to climate and soil was such as to be very unfavourable to slave labour, or the institution by which negro labour was fostered; and it was extremely unlikely that the South, which had more unoccupied land for which that kind of labour was fitted, and perhaps necessary, than it could hope to bring under cultivation within the space of another century, would care to send forth its citizens to the uncongenial climate of the backwoods; so that a sincere hater of slavery might console himself for doing justice to the slaveholders by the belief that there were causes more powerful than any Federal legislation could be to prevent the stain of slavery from attaching to any of the States of the West. Besides this, it was not, in the eye of equity, an affair for the consideration of Congress at all. The Atlantic States had their own several con-

stitutions regulating whether slavery was to be allowed or not. Surely the Western States ought to be allowed to do the same.

But though the question was not properly one for Federal legislation at all—though Congress, if it *had* passed any laws on the subject, ought to have permitted slavery—and though, if it had done so, there was no chance of slavery spreading—the exacerbated state of mind arising out of the long national contest which had been growing more and more irreconcilable, interposed a fatal barrier to the course which justice demanded, and which would have secured by the operation of nature the result which the emancipationists desired. Congress did attempt to legislate; the legislation had for its object to keep the Southerners out of the territories which belonged to them as well as to their rivals; and the result of it was to force slavery upon regions where, if it had been left to itself, it never would have shown its face. The alliance between the East and the West—of the men who attacked slavery because they wanted protection, and the men who swallowed protection because they hated slavery—forced those against whom the coalition was formed to connect the two ideas together. To please the Western States, those of the North-East resolved to keep slaves, if they could, out of any fresh communities that might be admitted

as integral parts of the Union; to please the North-Eastern States, those of the West were willing to support in Congress the principle of protection, under proper stipulations, to prevent it operating injuriously to themselves. The alliance between the two powers—call them, if you like, the children of Jacob and the children of Ishmael—was consecrated by the offering of a sacrifice on the altar of their great god, the Almighty Dollar, and poor Esau was selected as the victim. The understanding was, that any near States that were admitted should be at once free-soil and protectionist—free-soil, to satisfy alike the Philo-negroists of the East and the Miso-negroists of the West, and protectionist, to satisfy the manufacturers of New England.

As far as the free-soil part of it went, the South had no particular objection. To be sure, it was rather insulting to be forbidden from going where her citizens had a perfect right to go if they pleased, even though they did not wish to do so,—especially if the prohibition came from a quarter in which there had been a constant endeavour to injure and to thwart her. Still, apart from the point of honour, there was no reason for fighting about it. But the protectionist element of the alliance made it a question for her of life and death. The certainty that a free-soil victory was also a protectionist victory made

it absolutely incumbent on those who were opposed to the latter to be also opposed to the former. Hence the bitterness of conflict that prevailed when there was the question of admitting a new State. It was worth while for the Southerners to renew the conflict on each occasion that the question arose; for though, in the question of the tariffs, the battle had gone against them, yet there was a hope that, by the creation of new slave States in the West, it would prevent the evil extending any farther. Such States might not have a wish to have a single slave within their borders; but in the great warfare that was dividing the Federation, the absence of any direct Northern legislation ranged them on the side of the South. They were Southern, unless there was any distinct provision to the contrary.

I have yielded too much to the temptation of going into details on the question of Free Trade *versus* Protection. I think I shall avoid it here, because the temptation is less. The first great contest took place four years after the first great contest on the other subject in 1820. The fight was about the admission of Missouri. I shall not go into the history of it. It would be a long story to tell if details were given—how the South, supported not only by her natural rights with regard to the territories, but also by the stipulations entered into with

France by the treaty under which Louisiana was ceded to the Union, could only get those rights admitted and those stipulations acted upon by consenting to the unfair and tyrannical law called the "Missouri Compromise." By this agreement she consented not only to be kept out of her right, that her citizens should have the whole of the West open to them as the Northern citizens had, by allowing a line to be drawn, north of which she was not to go in time coming, but also that the line should be drawn at a parallel considerably short of what she might fairly have claimed, and which, had it gone eastward, would have excluded the States of Kentucky, Virginia, Maryland, and Delaware. It would also have to be told how the Northern States, having so distinctly got the better of their rivals by this compromise, refused to be bound by it; how they twice refused to permit the admission of Missouri as a slave State; how the fight was renewed on the question of the admission of Arkansas, which lies due south of Missouri, as one brick lies below another in a wall; and how, when it was proposed that the line should be held to extend across the whole Continent to the Pacific, they repudiated it, and repudiated it successfully, carrying through Congress a bill for the prohibition of slavery in the State of California. It was on this last occasion, when the victorious North

was using its numerical majority to enable it to throw aside, because it suited it to do so, that very compromise which in 1820 it had extorted from the weakness or the moderation of the South, that Congress listened, though unheedingly, to the dying words of one of the greatest and noblest citizens whom America has ever produced—the brilliant and accomplished Calhoun. He spoke, as it were, from the grave. His voice was too feeble to be heard; but his sentiments, written down, were delivered to Congress by a Virginian senator, since celebrated as one of the victims of the "Trent" outrage. Like Chatham, Calhoun devoted his latest powers to the service of his country. But while Chatham's last effort was to cheer his countrymen in a just and righteous war, Calhoun's had for its object to urge his countrymen to avoid war by a still more just and righteous measure of peace.

But no orator, were it even Demosthenes, could have produced much effect in the Congress of 1850. In the Athenian Agora, or the English Parliament, though there was and is quite factiousness enough, there has always been at least a chance of getting a question discussed and a speech listened to on its own merits; but what chance was there of such a blessed result when the audience consisted merely of the delegates of wirepullers? Even bodies which

have been supposed to be cold-blooded and deaf to eloquence, as the English House of Lords and the Grand Council of Venice, have been known to be turned from their resolutions by the speech of a single man. But there was little possibility of this happening to a collection of delegates. Calhoun charmed wisely, and under circumstances which might have been expected to double the force of the charm; but the Northern adder stopped its ears, or rather it had no ears to stop. They had been well waxed up before. The North sent its representatives, not to listen, but to vote.

So it went on and on. Why, as I asked before, did not the South secede? She had suffered enough from the Union to have learned, that whatever its advantages might be for the North, it was of no advantage to her; and every session proved that the chance of equal legislation was growing less and less, for the majority against her was creeping up and getting higher and higher; and that majority had neither mercy nor good faith. But, as I answered myself, the South clung from sentimental motives to the Union; and she persisted in hoping against hope that things would grow better. The great party upon her connection with which she allowed herself to lean was still powerful, and generally had the upper hand. Strongly sectional

on the tariff questions, the Northern Democrats were disposed to support the South on those which arose out of slavery. They were anxious to preserve the Union and to uphold the Constitution; and though, as a body, they could not resist the temptation of laying measure after measure of protection on the back of the South, in the hope that this particular measure at least might be added without breaking the creature's back, yet they felt it was rather a risk; and that it would be the height of folly to offer any further temptations to secede by stirring a question which it was doubtful whether they ought to stir even in the case of admitting new States, especially as they had very little interest in doing so. Besides this there was, as I have said before, the great social influence of the South.

It may be wondered that this party did not check the North in its attempts to oust the South from the newly-settled States more completely than it did. But the victories which the Democrats sought were rather in connection with the honours (and the spoils) of Government than in connection with the debates of Congress; and it was in Congress that the fight for the territories, and what was to be done with them, was waged. Still they did something. They succeeded, after several failures it is true, in forcing the North to adhere to its very advantageous

bargain in the case of Missouri; and they also succeeded in defeating the scandalous attempt to exclude slavery from Arkansas. When the admission of California came to be debated they were no longer in power, for the presidency and its appurtenances had fallen to the Whigs; and what was worse, their defeat had been caused by a split in their own ranks. A section of the party, headed by ex-President Van Buren, had taken up the free-soil notions, and given them, what they never had before, the character of a political watchword, and one belonging to great and respected combination. This was not a desertion to the Whigs, for the Whigs had never espoused those doctrines as a body. The lines which separated parties on the question of free soil *versus* slavery were not identical with, and may almost be said to have crossed, those which marked off the Whigs from the Democrats; still, of the two parties, the Democrats, with their Southern sympathies, their adherence to the Constitution, and their horror of the Abolitionists, would naturally have been that to which the Southerners would have looked for support; and when a section of that party openly and on principle ranged itself under the banners of the enemy, it may well have been seen that the chances of getting the Missouri Compromise principle adhered to in California were poor indeed.

In itself the impossibility of introducing slaves into that new State signified but little, for I suppose that, even if it had been constitutionally possible, it would not have been so practically; negro labour would have been scarcely available in California. Nor do I suppose that Calhoun expected it to be; but it was the spirit which dictated the Northern action that he dreaded and protested against. That a faction should exist which would be willing to break through the compacts, expressed and implied, which itself had dictated and by which it had largely profited, was a fact of disastrous omen; but that that faction should gain the upper hand, and control the legislation of the Federal Congress, was a sign that the end could not be far distant.

# CHAPTER VI.

## THE BATTLE OF THE TERRITORIES—KNOW-NOTHINGS AND REPUBLICANS.

THINGS seem to have been brought to such a pitch by the breach of the Missouri Compromise on the question of the admission of California, that the final outbreak of the long antagonism of the two nations, in some form or other of declared estrangement, could only be a question of time; and the time before it came would clearly be short enough without the introduction of any fresh causes of disturbance. And yet, almost immediately after the Californian dispute, such a cause was introduced. This was the way of its introduction.

There was another element in the question of the formation of new States which interested the jobbers and wirepullers, and those who made a trade of politics, more directly than any arising out of the necessity, for factious purposes, of bribing or

conciliating either Abolitionists or nigger-haters. The Government of the United States, with the object of getting the Territories settled and colonised, was in the habit of selling land in the Far West for very small sums. Of course those who hung about Washington, and either belonged to or had got the ear of the party in Congress, took advantage of this to get large domains assigned to them; and a hanger-on of the party which had placed its man in the presidential chair might, without much trouble or expense, if he was lucky, become the possessor of estates matching for extent those of the Woronzoffs or the Lichtensteins. But in order to make those possessions of any solid value to their owner they required something else; and that something was hands to cultivate them. There was therefore every inducement to this powerful class of speculators to encourage the tide of emigration to the backwoods. The task was not easy; America hardly supplied men enough for the purpose. In spite of the wonderful rapidity with which population increased in the New World, its progress was not rapid enough to overtake the occupation of the enormous extent of land that every year was thrown into the market. No doubt it was only a question of time, and sooner or later the land would be replenished. But the speculators could not afford to wait. They turned

their eyes to the Eastern hemisphere and its overcrowded populations. They appealed to Europe for assistance. They offered, as a reward to those who might be induced to respond, the inducements of high wages, of abundant sustenance, and of freedom; by their influence over the Government and the Legislature of their country they were enabled to offer still more, by shortening the period necessary for qualification for citizenship; and the European pauper was told that by emigrating to the United States he might become at once a flourishing denizen of the great regions of the West, where the earth was ready to pour forth treasures enough to satisfy his utmost desires, in reward for very slight labour, and that after a probation so short as to be almost nominal he might be a member of the commonwealth of kings, might have the privilege of choosing his own rulers—nay, that he might even be elected as chief and governor of that land of promise, to the presidency, to which the "log-cabin" was rather a stepping-stone than a bar. And it was this sort of appeal which came across the Atlantic to Ireland in the terrible days of the potato famine. It was irresistible. The tide of emigration of those flying from starvation to plenty astonished even those who had invited it. "Glacial Ierne" had long ago mourned over the accumulated mass of the corpses of

her sons which were cumbering her soil. The famine was producing the same dismal effects as the Roman sword had done; and again, though in a different sense, the "Scot" had set the whole of her land in motion, and the ocean was foaming with his hostile oars. I am sorry to say that the object detested by the "infesto remige" was not the country towards which he was going, but that which sent him forth.

However, in spite of the urgent invitation which America had addressed to Europe, the arrival of these living "Scotorum cumuli" (the word "Scotus" in the days of Claudian, and much later, meant an Irishman as well as a Scotchman) was not universally hailed with joy by the citizens of the Union. The Eastern States did not care very much about the speculators finding hands to cultivate their lands for them: but they did care about having such a sudden cargo of immigrants and presidential electors suddenly introduced into the Federation; in other words, an enormous mass of fresh competitors for the spoils. In addition to this, a religious question was introduced. Theological differences had not hitherto been an element of much importance in America. The different sects were scattered pretty evenly up and down the Union; and if in Louisiana the Roman Catholics rather preponderated,

and the Episcopalians in Virginia and the Carolinas, while what in England are called Dissenters were more numerous in the north-eastern States, yet I am not aware that these facts had ever been thought of sufficient importance to be worked up into party cries. But when this huge irruption of foreigners broke in, who were such a nuisance on business grounds, the fact that the intruders were votaries of the Scarlet Lady was not to be lost sight of by those who had influence with the descendants of the Pilgrim Fathers of New England, of the Quakers of Pennsylvania, or the Dutchmen of New York.

On a sudden a cry arose in the North-East, originating none knew whence or how, against foreigners and Papists. It swept like a whirlwind over the land, and, as such things do, met with a response wherever it went. Probably, in the natural course of things, after having made a great clatter for a month or so, it would have evaporated as unaccountably as it had arisen, or at the most sunk to the level of an "ism," the pet doctrine of some knot of Yankee crotcheteers. But it did not do this; instead of becoming an "ism," it became the war-cry of a party. This was the reason of it.

After their victory over the Democrats in 1848, under Taylor and Fillmore, the Whigs completely broke down. They tried to carry the next election;

but although their candidate, General Scott, was a very promising one, they failed deplorably, almost ludicrously; and little more than four years after they had carried their man and his horse to the White House (where the latter was presented with a silver curry-comb by a committee of admiring office-seekers, whose Coryphæus was the present Secretary of State, Mr Seward), that great party ceased to exist. American parties are like gunpowder. When they explode, they leave no ash behind them. And consequently, when the Whigs made their grand *fiasco*, there was nothing left to fill the political horizon except the old organisation of the Democrats. Now, though when this happens it may be in one sense a great triumph for the party that is victorious, it is not altogether a subject for rejoicing; for the contest is carried on, not only in order to promote the success of principles, or even only for the pleasures and emoluments of office, but also for "the mere noise and movement of the fray." I hardly think that either of our great parties would altogether be pleased if their opponents were to be suddenly converted in a body; and in America the case is even stronger. For the tendency of parties to become factions, with an organised machinery for agitation, and a large class of persons to whom that machinery is a means of procuring a livelihood,

which with us is a deplorable though unavoidable result, is in America of the very essence of the system. In England persons make profit out of principles. In America they make principles for the sake of profit. English politicians often raise their party cry without believing in it very strongly. American politicians hardly ever consider it necessary to pretend to believe it at all. To the numerous class, therefore, of caucusmongers and president-makers who were attached to the Democratic name, the sudden "*abiit, excessit, erupit, evasit*" of the Whigs was very much what the sudden extinction of vermin would be to the warreners and rat-catchers of this country. The destroyers of real vermin would probably in that case betake themselves to other trades. The destroyers of political vermin took to applying the name to creatures which had never borne it before.

At that moment there were two cries, either of which might be made use of to break up the Democratic party and renew the faction-fights. One was that of Free Soil, the other was this new one of Nationality and Anti-Popery. Which should be taken up? Should they unite with the new-comers against the South, or with the South against the new-comers? Either course was promising. The Irish emigrants could not bear niggers, and were

perfectly willing to vote for anything that would prevent the creatures from going anywhere where they themselves were likely to go; and, on the other hand, this disposition on their part could not make their presence desirable to the Southerners, who, though they did not care much about taking negroes into the backwoods, did care particularly that free-soilism should not extend, for free-soilism and Northern sectionalism were convertible terms. On the whole, the latter plan seemed best. There was more room for "spread eagle" oratory on the text of "Columbia unshackled by the foreigner," than on that of "Freedom for the negro in the far West." So a party was formed which, after burrowing underground for some time, throwing up the earth, and showing that it existed, and was actively at work, though not what it was (whence its name of Know-Nothing), at length emerged into the light of day as the "American" party, introducing itself to the world by a most resounding clarion-peal of bombast about the stars and stripes and all the rest of it.

This was enough to constitute them into a political organisation. But it was not enough to enable them to try for the sweets of the Presidency with any hope of success. For that purpose they next made a long pull, and a strong pull, and a pull altogether, and they must find out distinctly whom they had to rely

on. In the North they would do pretty well. Any party that could talk bunkum pretty loud on a telling subject might have a chance of naming the President; and any party that had a chance of naming the President was pretty sure of followers, and plenty of them, in that part of the Union. But what could they do in the South? They might have expected that the South, if she had not been unanimous for them, would at least have declared for them by a large majority; for the cry which they had taken up was in accordance with what might be supposed to be Southern interests. But, greatly to the credit of the South, she showed no disposition to enter into their views. Perhaps she did not see how much her interests might be marred by so large an admission of Irish Roman Catholics; at any rate, she would not enter into a conspiracy to keep them out; and the report that the Southern Know-Nothings had to give to their partisans as a result of their endeavours was, that they could not be sure of carrying the vote of a single State.

The astonishment of the wirepullers of the party at this piece of intelligence was probably very great: but they did not lose their presence of mind in consequence. Their course was perfectly clear. If the Southern States were so foolish as not to see what was for their advantage, and declined to join this

crusade against the foreign Papists, why, the foreign Papists must be induced to join a crusade against them; and every effort was made to induce the "foreign Papists" to do so. Unfortunately the Irish did not follow the same course that the Southerners had done. They were either not generous or not clear-sighted enough to do so. The American party, without one moment of compunction, or without one feeling of shame, dropped its colours at once, and hoisted those of the Free-soil party; and the efforts of its wirepullers and caucusmongers contrived to unite all the scattered elements out of which a party could be formed in the North — Puritans and Roman Catholics, Abolitionists and nigger-haters, foreigners and natives—into one compact body, united on the principle of opposition to the South. Thus originated the Great Republican Party.

Such a party had never existed in the Union before. Northern interests and Southern interests had often come into collision, but their advocacy had not been made the basis of any recognised party organisation; the great parties which had hitherto divided the Republic had extended into both sections; and though perhaps either of them might be stronger in one section than in another, yet they did not belong exclusively to either. But now, for the first time since the Union began, there was seen the

new phenomenon of a distinctly-avowed Northern party. The South could not avoid seeing what would happen if this party were to get the upper hand. She had borne it all hitherto—not indeed without a murmur, but still she had borne it. She had submitted to bear far more than her share of the taxes of the Federation. She had seen the money that was forced from her against her will expended in bounties to Northern manufacturers, and in plunder for Northern office-seekers. She had seen trade carried away from her borders, her coasts neglected, her fields relapsing into wastes, her towns sinking to ruin. She had seen her rivals fattening on her spoil, and glorying in the triumph as well as the advantage of doing so. But never before had she seen a *party* whose war-cry was to be, the North *versus* the South.

Still her people clung to the Union with desperate tenacity. They had allowed themselves to be oppressed by the Protectionists, they had allowed themselves to be excluded from the Territories by the Free-soilers, and they determined not to give up yet, if they could help it. Of the two parties into which the Union was divided, the Democratic was that which was most Southern in its tendency; and it might be hoped that that tendency might be strengthened now, partly from the jealousy which the Democrats would

feel towards this new faction, partly from their dislike to the unconstitutional character of its principles. But though the intentions of the Democrats might be trusted, yet it was not safe to rely on their ability to carry them out. A slight majority, even the majority of one vote, in favour of the Republicans, if it was obtained in more than a moiety of the States of the Union, would place everything in that party's hands, for the Union has no regard for minorities. The example of England will scarcely furnish a parallel. If, in a new House of Commons, one party, say the Conservatives, obtained a majority of seats, but those seats won as the result of very close elections, the Liberal minority would probably not suffer much thereby. The chief result would be that the Conservatives would come into power, that they would pass very Whiggish measures, and that the narrow majorities by which they were returned would be an excellent subject for Opposition jokes. But it would be different if the members were mere delegates, the representatives not of their constituencies but of their party, and confident that the more violent the part they took the greater would be their chance of re-election. Still worse would it be if the questions in dispute were not political but geographical—not whether or not there should be a Reform Bill—not whether votes should be taken openly or by ballot,

or church-rates be abolished, or Jews be admitted to Parliament—but whether England should pay the taxes of Scotland and Ireland, or *vice versa*. We hear enough of Irish grievances, such as they are, and some time ago there was an idea north of the Cheviots that Scotland did not get justice done her. Whether or not that be the case, what would be thought in those two kingdoms if a patriotic English party were to arise claiming that Scotland and Ireland were to bear all the expense and England to reap all the profits of the connection; and if, moreover, a powerful movement were got up for the purpose of confiscating on religious grounds the principal part of Scotch and Irish property?

Bearing this in mind, and transferring ourselves to the United States, let us put this as a possibility. North and South are bitterly exasperated against one another. A powerful party is formed in the North, bearing as its watchword the sentiment, uttered by no less a person than President Jackson, that to the victors belong the spoils, and determined that those spoils shall go to their division of the Union. A strong section of that party is opposed to Southern institutions, on grounds partly religious, partly commercial, and is prepared to enforce its views at the risk of consigning the whole South to ruin. The South is, of course, unanimous in opposi-

tion to this party, and she is supported by a large section of the Northerners, who have no wish to push matters to extremes. This section, which exists in both divisions of the Union, we will call Democrats or Conservatives. Their rivals we will call Republicans. At the heat of the conflict a Presidential election comes on. Each party sets up a candidate. We will say that this is the result when we come to sum up. The South has a voting population, including the three-fifths coloured vote, of a million and a half; and every single vote of the 1,500,000 goes to the Democrat. The voting power of the North is three millions and a half; and it is divided thus: 1,749,000 go to the Democrat, and 1,751,000 to his antagonist, who thus has a majority of two thousand out of the whole three millions and a half. But as this two thousand is made up of small majorities in the different States, varying from five hundred in New York to fifty in Rhode Island, but leaving a majority of some sort in each, the minority of 1,749,000 goes for nothing; and the whole mass of Presidential electors, as they are still ironically called, are the representatives of the majority. Now comes the tug of war. The electors, or rather delegates, of North and South respectively, meet for the final task of nominating the President. The Democrat has the support of the whole million and

a half of Southern votes. His antagonist has that of the Northern majority of two thousand. These two thousand, however, have the nomination of the nominating delegates of the North as completely as their rivals' unanimity has that of the South.

I said, now comes the tug of war; but, in fact, there is no tug. It is evident enough what will happen. The North has a preponderance in the number of States in the proportion of six to five. In population the difference is greater still. And the result is, that the North has 183 votes to 120 of the South. This is of course unavoidable, and, if there were no opposing interests to divide the two sections, would have signified as little as the fact that there are more English than Scotch members of the House of Commons. If there are opposing interests, it bodes terrible evil. But if those interests, and the factiousness which gathers round them, are constituted into the form of parties, it is something approaching to civil war.

We will give the South every advantage. In spite of the strong sectional feeling that has carried the day in almost all the Northern States, one Northern State—the peaceful, money-getting Quaker community of Pennsylvania—gives a majority to the party of quiet and Conservatism; and her twenty-seven deputies are to a man Democrats. She also

supplies the candidate of that party. The Republican, of course, comes from aggressively godly Massachusetts. The former is a Northerner, and a Protectionist. If anything his views are rather Free-soil. But he is a keen anti-Abolitionist, and is, above all things, anxious to maintain the *status quo*. So that, in spite of the unfairness and unpopularity of some of his opinions, the South gives him its hearty support. His antagonist is a furious anti-Southern stump-orator, pledged to carry out the most violent doctrines of his party.

The electors meet. If they were real electors there would be a hope that the decision might be in favour of peace; for there would be room for the argument that the Pennsylvanian would give the North all that she had a right to expect; that he would strive to maintain, if he could not increase, the tariffs; and that his sympathies were not Southern. But they are only delegates, sent for no purpose but to put their man in the White House. The only thing they have to do is to go through the form of voting. It is simple enough, and hardly necessary. Pennsylvania's twenty-seven votes have to be deducted from one side and handed bodily to the other; but it is not enough to turn the scale in favour of peace. The Republican, though really in a minority of two millions and a quarter, is carried

by a majority of nine; and thus, by strictly constitutional means, a declared enemy of one-third part of the Federation over which he is called to rule, and the representative of enemies more malevolent and unscrupulous than himself, is placed in the chair once occupied by Washington.

# CHAPTER VII.

## SECESSION—SOUTH CAROLINA AND VIRGINIA.

I SHALL be thought to have given a very exaggerated and inaccurate account of the balance of parties at President Lincoln's election; and that is exactly the case. I did not mean to do so. I had not come down so far as his time, and I had something to say about Buchanan. It seemed, however, a good opportunity of putting what might happen as the result of the formation of an avowed anti-Southern party; and I find that in doing so I have given a rough description of something not unlike what did take place. Lincoln's minority, it is true, was not quite so pronounced as I have made that of my imaginary President to be. It was not much over one million. But the upshot was what I described, namely, that the Democrats or Conservatives or States-rights party or Union party having, on the whole, an immense preponderance of votes, the opposite party, the Republicans or Anti-slavery men

or sectional Northern party, did nevertheless set its candidate in the Presidential chair.

Everybody knows the result. In spite of the great abilities of her leaders, in spite of the numerous eminent servants with which she had supplied the Republic, in spite of the great social pre-eminence of her sons and daughters, in spite of the support afforded to her by the Northern Democrats, the South had indeed a heavy burden to bear. Even in 1828 the strain had been terribly complained of. Even in 1832 a fresh turn of the screw had been too much for the patience of South Carolina; and since that time the evil had been growing worse. The odious protective duties, which the resolute attitude of South Carolina and the prudent counsels of Clay had caused to be removed, were reimposed ten years later; and the Northern grasp has never since been relaxed. As if this was not enough, the victorious party had goaded its struggling antagonist in other ways. The Northerners had endeavoured to exclude the South from the territories which belonged to both sections in common. They had forced her to consent to give up her rights over half the space in question. They had induced her to let the line of demarcation be drawn in a way which would have been scandalously unjust, even if it had been just that there should have been a line of

demarcation at all. And, finally, they had refused to be bound by that very agreement, and had made attempt after attempt to overleap the frontier which they had extorted, not only in violation of the spirit of the Union, not only in violation of their compact, but also in violation of the terms of the Louisiana cession treaty with France. And to this ceaseless pertinacious hostility, to these long and increasing injuries had been added untold provocation and insult. The South and the Southerners were a subject for invective from Northern platforms, of denunciation from Northern pulpits. Vehement as were the stump-orators, they were far outdone by the preachers. The clergy have always, and in all countries, possessed a power of vituperation which the most voluble layman might envy. In the days when Popes and Emperors used to issue manifestoes against one another, the former used always to scold the loudest; and no bull of the palmiest ages of the hierarchy, of Innocent the Fourth against Frederick, or Clement the Fifth against the Venetians, could more triumphantly and hopefully prognosticate the damnation of the enemy than did a genuine godly Abolitionist minister of the gospel prognosticate that of the slave-owners.* And all this time there was

* Here is one of the last novelties (alas! I wish they *were* novelties) in the way of a clerical exhortation. I can only give

no professed political hostility against them. The Protectionists were content to plunder them without abusing them into the bargain. The Abolitionists were not strong enough to form a party. Of the two great political combinations, the Democrats were rather their friends; and the Whigs were certainly not their enemies. And yet all this had been forced upon them, even when the party leaders had sprung from amidst them. A faction had now been formed avowedly and distinctly on

a sentence or two. "If I had the power," said, quite recently, the Rev. Mr Brownlow, "I would arm and uniform in the Federal habiliments every wolf and panther and catamount and tiger and bear on the mountains of America; every crocodile in the swamps of Florida and South Carolina; every negro in the Confederacy; and every devil in hell and pandemonium. This war, I say to you, must be prosecuted with a vim and vengeance until the rebellion is put down, if it exterminates from the face of God Almighty's green earth every man, woman, and child south of Mason and Dixon's line. . . . . I am willing to see Richmond captured by Grant; but if I had my choice, I should choose that Richmond and Charleston should be taken alone by negro troops commanded by 'Butler the Beast.' . . . We will crowd the rebels until, I trust in God, we shall rush them into the Gulf of Mexico and drown the entire race, as the devil did the hogs in the Sea of Galilee." And these sentiments, and others like them, were cheered by a New York audience. Find, if you can, a Papal bull of excommunication or a French carmagnole to match this. If that army which he longs to see formed of wild beasts and fiends could be marshalled together, no fitter person could be found to lead it, or at least to drum for it, than this unutterable ruffian.

the basis of hostility towards them. The nominee of that faction had now become ruler of the State, and had done so by means which proved to them their utter powerlessness to resist whatever he might choose to do, or his backers to dictate. The whole power of the executive and an assured majority of the legislature were in the hands of their declared enemies, minds too ignorant to be moderate, too greedy to be generous, and too fanatical to know mercy. If Protectionism and Free-soil had been rampant before, what would they be now? If these things were done in the green tree, what should be done in the dry?

This was enough. The Southern States saw that there would be a battle, fiercer and keener than any that had been, and which to them would be a matter of death or life. There was only one way of avoiding it, and that way was secession from the Union. It was very grievous to those who loved to listen to 4th July speeches about the stars and stripes, and the bird of freedom, and the glorious destinies of Columbia, and what was supposed by many to be the Monroe doctrine. It was also grievous to the nobler minds who loved to dwell on the recollection of the old days when the friendship of South and North might be typified by that of Washington and Hamilton, and who could not witness without a pang the

severance of old associations. But there was no help for it. The spirit of Hamilton was in the North no longer. Old associations were for the time obliterated by present dangers. The words " Secession and a new Union, as in 1787," were pronounced, and flew like wildfire through the South. South Carolina, the most fiery and impetuous of all the American communities, still, as of yore, prompt in resolution and daring in action beyond all her compeers, took the lead, as she had ever done, and declared that she would be a member of the Union no longer. Her example spread far and fast along the Gulf, till it reached the confines of Mexico; and in an incredibly short space of time seven States were grouped around the Palmetto banner, and their representatives had met in a new Congress, to lay the foundations of a new Confederacy, in the halls of Montgomery, the capital of Alabama.

The deed was done. But there were still some points to settle. That the North would approve of what had been decided, was not probable. The seceders knew their old Yankee acquaintance well enough to be aware that he would not approve of being obliged to pay his own taxes, after having so long made the dogs of Edom do it for him. " Let the South go! we know better," was the cry, not only in griping New England, but in smart New York.

That the seceders would be called rebels by any one in any position of authority, or any one at all whose ability and knowledge was above that of a Boston preacher, could hardly be anticipated at that time. But it was likely that the North would make as many difficulties as it could, so as to hamper them as much as possible in accomplishing their purpose; and there were the means for doing so. In different parts of the Union there were what they called Federal fortresses, like Rastadt and Mentz in Germany, occupied not by the troops of the States in which they were, but by those of the Union; and it was conceivable that a captious Government, wanting to hinder secession, might raise all manner of technical objections about their surrender. The Southerners, therefore, resolved to lose no time in getting this matter settled. The only Federal fortresses in the seceded States were at Charleston; and it was upon South Carolina, therefore, that the task of treating with the Washington Government devolved.

Fortunately for South Carolina (at least fortunately for her right—practically it made no difference, as it turned out), she had, while giving up the land for the erection of Fort Pickens and Fort Sumter, expressly reserved her sovereignty over the ground in question, or in other words did not *give* it to the Union, but *lent* the use of it for an undefined period.

She now reclaimed it again. Lincoln, or rather Seward, did not deny her right to do so, but made different excuses for delay in giving up possession. This was very tiresome; but the excuses were plausible, and the Carolina Commissioners, though treated with a good deal of discourtesy, remained on at Washington in the hope of accelerating matters a little.

At last they were appalled by a rumour that all these *pourparlers* were only a blind; and that while Lincoln and Seward were throwing all this dust in their eyes, they were underhand preparing to throw fresh provisions into Sumter, with the intention of then refusing to evacuate it. Yankee honour was not a thing to be relied on very much; but this seemed rather a strong measure even for Yankees. Still they knew something of the high-minded hero of the curry-comb story. And though they gave the President credit for honesty at that time, yet it was supposed that his abilities were not of a very high order, and that he would therefore be easily led. So they thought it might be at least as well to make some inquiries on the subject. They did so through the means of an ex-judge of the Supreme Court of the United States, a man of Southern origin, but devoted to the cause of the Union. The story of this gentleman's negotiations with the President and Mr Seward

on this subject, is a sickening record of baseness. They are too long to be related at length. But the upshot of them was this: that after numerous prevarications and numerous evasions, Mr Secretary Seward was driven to the lie direct. He informed the mediator, on the President's authority, that there would be no attempt to supply Sumter without giving notice to the Governor of South Carolina. Hardly had this assurance been given than further intelligence arrived that an expedition for the purpose so plainly repudiated had actually arrived at Charleston; that just before this, in anticipation of such an event, for the rumour had spread rather wide, the Carolinians, still anxious to avoid a rupture, had offered the Commandant of the fort, if he would promise not to open fire unless he was attacked, that they would on their part abstain from attacking him: that this offer had been refused; that the intention to place the State forces between the fire of the fort and that of the fleet, had thus become transparent; that in consequence the Governor had ordered the fort to be attacked, and if possible captured; and that it had hardly hauled down its flag before the appearance of the expected fleet had shown how justifiable was the attack, and how necessary was the promptitude with which it was made.

The cannon of Beauregard was the signal for the

Northern declaration of war. Here was an excuse for hostilities. The audacious secessionists had fired, yes, actually fired at the "star-spangled banner." It was true that they had been forced into doing so by the low trickery of the Government. But this was rather to the Government's credit, as it showed that Mr Seward, though he had made himself ridiculous about President Taylor's horse, was really a smart man, and one of our most talented citizens. Besides, it was absurd to suppose that the Gulf States could go if the almighty North would not let them. They must be taught to know their place. "Let them kick up their heels for a while and they'll soon tire of it;" such was the President's elegant remark. Neither honest Abe nor smart Seward, nor their Republican followers, nor even the Northern Democrats, knew what South Carolina and Louisiana could do.

If the attack on Sumter enraged and united the North, the Northern declaration of war united the South. The States which had followed the lead of South Carolina had all belonged to the class of which she was the chief representative—the cotton and sugar communities of the Gulf. The States which lay between the Northern frontier of South Carolina and the Southern frontier of Pennsylvania, had as yet made no sign. If South Carolina was the typal State of the secession, the typal State of these more

northerly ones was Virginia. The Virginian character was to that of South Carolina what might be inferred from their different climates. They stood to one another in the relation of Sicily and Tuscany; the one ardent and hot-blooded, intolerant of oppression, quick to resent an injury, and always ready to strike a daring blow: the other not perhaps less sensitive or less high-spirited, but possessed of more self-control, checking the impulses of passion by the sentiments of association, capable of any amount of venture when the occasion arose, but anxious not to force it on, and willing to endure much rather than break up what memory has endeared to her. Like her Italian prototype also, she abounds more than any other region of the land to which she belongs in the genius of her sons. Both Tuscany and Virginia have been fertile in statesmen: but where Tuscany produces poets and painters, Virginia produces soldiers. I know not whether this contrast of the two great States of the Confederacy will be considered truthful. There is, however, some satisfaction in personifying them under these characters, and I believe that I am justified in so doing. England may well be proud of both her children; and it is a pleasure to feel that these two, perhaps more than any other States of America, possess the English blood most unalloyed. I am not aware whether South Carolina possesses

any man who may be a fair representative of his country. I have a sort of idea that the Virginian character is realised in Lee.

I think Virginia has always acted up to the account I have tried to give of her. She always keeps within her strength, and never pushes forward but when there is some good reason for it. But when she does come forward, she does so in imperial style. At the time of the War of Independence, she was in no hurry to act; but when New England was up in arms against an infliction on the part of our ancestors one hundred-fold less than she has been the means of inflicting on the Southerners, when the unfortunate tea-chests were flung into the sea in the port of Boston, and when the English armies and fleets were advancing to punish the rebellious colonists for their contumacy, Virginia, though not herself invaded or threatened, sprang forward to the rescue, on the ground that an attack on one colony was an attack upon all. It is probably not too much to say that her intervention was the saving of New England: it is certainly not too much to say that her intervention led to the foundation of the Union; for it was her intervention that gave to the struggling communities of the New World the advantage of the arms and counsels of Washington. She not only founded the New Republic, she also nursed it through the period

of its infancy. Of the five first Presidents of the Union, four were her citizens; and it is a remarkable fact, that the second President of the United States, the only one of the five to whom was not given the honour of having his rule prolonged for a second term, was also the only one who was *not* her citizen. Since the presidency of Monroe she has taken a less prominent part. Having started the Republic in its career, and presided over its destinies for the best part of half a century, she seems to have withdrawn from the charge; and from that time, in all moral respects, though not in material ones, the course of the Republic has been steadily down hill.

In accordance with this history has been her conduct in these latter days. Though the election of Lincoln was fraught with as much danger to her as it was to South Carolina, and though she has had fully as much cause for complaint and resentment from Northern insults and Northern injuries, she was too much bound by the recollection of her own glorious past to be in a hurry to destroy the Union which her citizens had the greatest share in creating. As soon as it became apparent that the States of the Gulf were determined to secede, the first thought of Virginia was to endeavour to find some way to prevent them from doing so. She offered to mediate between them and the Federal Government; and her re-

presentatives were busy, up to the very last, in endeavouring to arrange the terms of some compromise by which South Carolina and her allies might have their interests sufficiently secured to induce them to return to the old connection. But Lincoln and Seward's perfidious attempt to throw supplies into Sumter, and, still more, the mad cry for war which the capture of that fort produced in the North, showed that the time for negotiation was past; and when war was to burst in reality, every feeling, association, sympathy, interest, justice, generosity towards the weaker side, indignation against perfidy and wrong, compelled her to stand by the side of South Carolina. The accession of her splendid and powerful name to the roll of the Confederate States was hailed by the rest with joy and triumph; and the precedency due to her old renown was deferred to her by the unanimous resolve of those States to transfer their common capital from Montgomery to Richmond.

The example of Virginia was not productive of such an outburst among the border States as that of South Carolina had produced along the Gulf. In the first place, there was not the same homogeneousness in character and interest among the former as among the latter. There had at one time been an idea of fusing all the States of the original secession into a single indivisible republic, stretching from Cape

Fear to the Rio Grande; but no such idea could have prevailed further north. To fuse Virginia with Arkansas, Delaware with Missouri, would have been preposterous; and it might very well be that the varying interests of the different States might lead them to take different views about the desirability of secession. Besides this, it was now known, what was not known when South Carolina and her allies seceded, that secession meant nothing less than war; and of that war the border States would have to bear the brunt. But if there was not always an identity of interests, there was communion of feeling, not as deep and strong as that which prevailed among the Gulf States, but still too strong to be accounted for by the mere fact of the permission of slavery; and the tendency to break away became irresistible. North Carolina, which lies southward from Virginia, followed her lead at once. Maryland and Delaware, lying right in the jaws of the North, hesitated for an instant before plunging into the awful chasm; and before they could resolve to do so, the Federal armies poured over their border, occupied their cities, and fixed upon their people that hideous yoke under which they have writhed ceaselessly from that day till now. In the West, Kentucky has resounded ever since with the tramp of opposing armies, and has never had the respite necessary to deliberate. Tennessee,

though she has had to suffer from the same cause, has contrived to assemble her legislature, and pass the ordinance of secession; while Arkansas and Missouri, on the further shores of the Father of Waters, and far more Western than Southern in their conditions, have become among the most ardent members of the Confederacy, and have been the theatre of some of the most brilliant exploits of the war.

But I have gone on too fast. I was speaking of the part Virginia has played all along. She has always been liberal and magnificent, but never wasteful.* She has always abundantly supplied what was

* Since this was finished, or rather about the time that it was being so, I have had the opportunity of reading Mr Williams's 'South Vindicated.' The account there given of Virginia's grand cession of her North-Western territories as a free gift to the encumbered and impoverished Union, affords amazing strength, I think, to the views which I here try to give of her character and the services which she has rendered; at the same time, it rather diminishes the force of any encomium I may have passed on her prudence in not wasting. I must make a short extract. Till I read it, I did not fully appreciate the character of the cession to which it refers.

"The general Government of the Union, being then poor and with scarcely strength to sustain itself, implored the States having large territorial possessions to transfer a portion thereof to the general use of all the States. Virginia responded to this call for aid by an act of prodigal generosity, the magnanimity of which was only exceeded by its uncalculating and unselfish improvidence. The whole of that vast territory now embraced within the limits of the five great Western States of Ohio, Indiana, Illinois, Michigan, Wisconsin, was, under certain named conditions, trans-

required, but has not ostentatiously given what was not required. For the original revolution, statesmen were required rather than generals. England, removed from the scene of action by the width of the broad Atlantic, not yet bridged by steam, could not pour her endless multitudes into the countries of the rebellion; and all that the colonists required was a little patience and constancy to lure the invaders on to their destruction, and wear them out. The great need was to keep up the spirit of the colonists; and for that purpose there was more need of civil than of military genius. Virginia supplied exactly what was wanted. Washington was perhaps

ferred to the Government of the Union," to be divided into five parts, each of which was to be afterwards admitted as a sovereign State. "By a still greater exertion of magnanimity, she consented that, in the territory thus voluntarily surrendered, slavery should not exist; thus depriving her own citizens of the right of immigrating with their property into the ceded territory. We have not an example in all history of such an unselfish and improvident act of self-immolation for what was conceived to be the general welfare of the country."

Virginia thus made the Union. It is not only indebted to her for the great man who was its founder, for the ablest members of the Convocation which framed its Constitution, and for all, save one, of the Presidents of its best and brightest age, but for its very soil; for she gave, and gave freely, lands which doubled its extent and saved it from bankruptcy. How has the Union and its Government repaid her? It is only due to her own matchless constancy and courage, that she has not been done to death by those who owe it to her that their Republic is alive.

not a first-rate general; but, with the advantages he had, he was superior to any general whom England could at that time send against him; while, for the really more important work of restraining the passions, moderating the jealousies, overcoming the selfishness, soothing the fears, stirring the indolence, of his own friends, he was the very man; and he imprinted the mark of his own high character upon the political life of his country—a mark which it took many years to efface. After England had recognised the independence of the colonies, the counsels of statesmen were required to form their disunited communities into a Federation; and none of the thirteen could show a list of delegates to the Convention of 1787 at all comparable to those sent by Virginia.

In the present case it is different. Before Virginia had joined the Confederacy, that cluster of States had placed at its head a man who, I think, will be thought to be one of the very foremost statesmen of this century, and, in fact, stand on as high a pedestal as Cavour. There was therefore no great need for that sort of ability. The great Mississippian President would need able subordinates; but it was better that none should appear as his equal to dispute his pre-eminence, and perhaps introduce rivalry into the counsels of the Confederacy. A second

Cavour might perhaps neutralise the first. So Virginia contented herself with having a representative in the Cabinet, and supplying useful and able members to Congress, without aspiring to the foremost place. But soldiers were much wanted. Not that the States which could produce Beauregard, Longstreet, Hood, and others too numerous to record, could be said to be deficient in military ability. But there was still room for more. In the statesman's department what was wanted was one master-mind, and that the Confederacy had. In the military department, the requirements were endless. Wherever the war might rage—and, in fact, it spread all around the frontier of the seceding States like a circle of fire, and here and there pushed its desolating course deep into their midst—there might be room for the display of the highest qualities of the soldier. This was what the Confederates wanted, and in no stinted measure: and this Virginia felt that it was her province to supply. According to her wont, she did so most royally. The roll of Virginian soldiers upon whom this war has conferred high and glorious renown is a long one, and I should probably add to it if I knew more accurately than I do the particular States to which the officers of the Southern army respectively belong. Suffice it to say, that the "Old Dominion" has produced the general who stands

second to Wellington among the great soldiers of English blood of the present century; and who, if you enlarge the field, and take the world into the competition, will acknowledge no superiors besides Wellington and Napoleon alone. She has also given to her country a brilliant and dashing cavalry chief, to whose exploits I cannot call to mind any parallel in history; and a hero whose name will last to the end of time, as an instance of the combination of the most adventurous and at the same time felicitous daring as a soldier, the most self-sacrificing devotion as a patriot, and the most exalted character as a man —one who could unite the virtues of the Cavalier and of the Roundhead without the faults of either, and be at once a Havelock and a Garibaldi. If all the stories about cruelty to negroes were as true as most of them are false—if Legree was rather the rule than the exception among the holders of Southern plantations—if the non-slaveowning whites of the Confederacy were as brutal and degraded a set as, until this war enlightened us, we used to fancy they were,—even then the Confederacy might claim to stand on a pretty high level on the strength of having produced three such contemporaries as Lee, Stuart, and Jackson. All of them have been distinguished, not more for their courage, their genius in their respective lines, and the enthusiasm which they have

been able to excite in their soldiers, than for the gentle and unselfish character which has been common to all; and for all of them, and for others who, if less celebrated, are on every ground worthy to be ranked beside them, the Confederacy is indebted to the single State of Virginia.

# CHAPTER VIII.

## THE RIGHTS OF THE WAR.

AND now, if all this is true, are we to be told that the South had no right to secede? It is difficult to see what can give any nation a right to change its Government, if such a series of events as I have described does not give that right. I believe that the right of secession is so clear, that if the South had wished to do so for no better reason than that it could not bear to be beaten in an election, like a sulky schoolboy out of temper at not winning a game, and had submitted the question of its right to withdraw from the Union to the decision of any court of law in Europe, she would have carried her point. But if any one differs from this opinion, I am not careful to argue with him, as it appears to be a matter of infinitesimal importance. The Seceders may well say, with Hallam, "God forbid that we should submit our liberties to a jury of antiquaries!"

It is rather surprising that people should have thought it worth while to talk so much about it.

But there are arguments to fall back upon in favour of the North when this one about the illegality of secession falls through; they are, I fancy, principally three. 1. The United States Government is the best in the world. 2. The secession is a rebellion on the part of Aristocrats against Democracy; and this is a pet argument with Mr Bright, upon whom the bare idea of an aristocrat, even when removed from him by the whole width of the Atlantic, operates like a red rag upon a bull. 3. Slavery is a dreadful thing: and this cry is echoed with vociferous irrelevancy by hundreds of voices, the leader of it being our present Foreign Secretary.

As to the first, it is enough to recall what was said in the House of Commons by a member of the present Government, I rather think Lord Palmerston, on a different subject. After one of those extraordinary tirades with which the Irish members used to regale the House on the subject of Italy, in which the King of Sardinia used to be abused in a style not often heard in the society of gentlemen, and in which the governments of the South Italian sovereigns were spoken of as the most blessed *régimes* which a benevolent Providence had ever sent down for the welfare

of sinful man, while that of Piedmont was characterised as keeping its subjects groaning under a most portentous tyranny,—the Ministerial orator answered, that very possibly all this was true, but that the Italians apparently did not think so; and if the wretched people were so benighted as to prefer this wicked new government to the paternal old one, that was their business. The reply was cheered on the Liberal side of the House. I fancy that a good many of the cheerers would not see the point of it so clearly if it were repeated with the word "Confederates" substituted for "Italians."

The second reason has a double flaw. In the first place, it is not true; and in the second, it would not be to the point if it were. Aristocracy may be a very bad form of government, and an aristocratic class may have great and grievous faults; but it is rather too hard to say that such a class is fit for nothing but to be knocked on the head like a pack of wolves; and that, if a democracy should have it in its power to pommel it, and should see fit to use that power pretty freely, said class is to take its pommellings like a lamb, making no attempt even to get away, and be only too thankful for the honour of being so treated by the great and glorious "representatives of the people." But when the great and glorious representatives are not even its own people, but a collec-

tion of foreigners, perhaps even the fact that the latter should have voted themselves to be the greatest nation upon "airth" might be held even by the most violent democrat as a sort of excuse for their wincing a little. In fact, granting the whole assertion to be true, and supposing the Southern States to be so many Venices, with the whole Venetian apparatus of government, Council of Ten and all, they have certainly contrived to identify themselves with the people under their rule in a very remarkable way. It is curious that many of the most vehement anti-Confederates are also most vehement philo-Poles; or in other words partisans of one of the most oppressive aristocracies that has ever been known. I wonder, if the Russians were to cut off the head of their Czar and establish a Democracy with a President elected every four years, whether the views of these gentlemen would undergo any modification.

But in fact there is no truth in the idea at all. If there were, I should have no particular interest in trying to disprove it. There seems a kind of impression abroad that an aristocratic government must necessarily be a bad one. The two other systems, monarchy and democracy, have respectively their ardent adherents; but that which lies between them has but few, and those seem to be very shy of the name. Even Sir G. Cornewall Lewis, while the up-

shot of his book on 'Forms of Government' leads irresistibly to the conclusion that that is the form which he prefers, rather implies than asserts that he does so. I cannot think this impression either a just or a sensible one. There is no form of government which can suit all times and places, but all the three will be suitable to some; and granting a clear stage, and no particular reasons in favour of any one of them, I think the balance of argument is in favour of the second. "A liberalised aristocracy," said the 'Times' on one occasion, "affords the best security to freedom." It may be that I have some prejudices of inheritance or education by which I am unconsciously influenced. But if it be so, such prejudices would rather impel me to try and believe that the Southerners are aristocrats. If along with a far higher measure of that constancy in peril which is perhaps the highest title to glory of the old Venetians, they had a *slight* tinge of the less objectionable parts of Venetian institutions, I do not know that I should like them any the worse for it; and I am perfectly disinterested in wishing to show that they have no such tinge.

I fancy that there is in some of the Southern States what may be called an approach to an aristocratic class; that is, a class of men who hold the same land as their grandfathers held, and can pretend to some-

thing like a pedigree. If any one thinks that a reproach, he is welcome to do so. But this class, if it exists (for I do not know much about it), does not, I think, extend beyond the older settlements of the Atlantic States. And of aristocratic government there is no trace. The idea which the Northerners have contrived to disseminate among their partisans on this side of the Atlantic—that of a limited class of enormously wealthy landowners living among a vast population of negroes whom they keep in a state of cruel bondage, and of an impoverished and brutalised class called "white trash" which hangs about the taverns, toadying the masters as a matter of business, and kicking the slaves for pleasure—is not only a mistake, but an absurdity.

It would be a mistake to say that there is no such thing as an aristocracy in the United States. It is one, it is true, which those of Sparta, Rome, or Venice might not have been particularly anxious to acknowledge as akin to themselves, for its members lay no claim to character or statesmanship, and would repudiate the imputation of being gentlemen. But if a class of men, hereditary or not, succeeds in getting the government into its own hands and keeping the people out of it, such a class is fairly entitled to the name, even though its members be under-bred, low-minded jobbers. Such an aristocracy is the class

of President-makers whom I have spoken of; and they bear rule not in the South but in the North.

It is astonishing how words get to lose their meanings. In the South popular suffrage really prevails. By the operation of that *régime* the people elect as public servants those who are most fit for it. It may very well be that hereditary wealth, by affording room for education, leisure, habits of command and independence, may point out those who possess it as fittest for that purpose; but it nowhere confers the right of nomination. And yet the people among whom this system prevails are called aristocrats by those who are themselves the helpless puppets of the irresponsible wirepullers of the North. The truth is, that the South has been getting more and more democratic. At the commencement of the Union, most of the States used to nominate their presidential electors through their Legislatures. In process of time this was voted not democratic enough, and the nomination was referred directly to the people. We have seen what this means in the North. In the South it is more real. The people there are more disposed to be *influenced* by their natural leaders, and consequently escape being *commanded* by such a class as that which has been allowed to usurp power in the other section. In one State only has the old plan been adhered to; and of course she has been vituper-

ated by the North as aristocratic. I do not fancy that her detractors have much reason to boast themselves over her as things stand. That State is South Carolina.

The virtues of an aristocracy have been supposed to be the fostering of political talent, and the power of facing danger with resolution and constancy. Its failings have been supposed to be a hesitation in acting, sometimes approaching to timidity, and want of impulsiveness and generosity. Wherever there is any democratic influence, these faults are less prominent; and consequently there has been less of them in the histories of Rome and England than in those of Sparta, Carthage, and Venice. The best government will be that which combines the merits of the two with as little as possible of the faults of either. In the old Lombard republics it may have been some distant notion of this which made it legally necessary that the rulers even of the most jealous democracies should belong to the class of nobles, and which causes the constant reappearance of the same names on the lists of consuls, gonfaloniers, podestas, or whatever the name might be, of the most turbulent and high-spirited cities.

If these qualities may be taken as tests, I think we shall be forced to the conclusion that the States of the Confederacy have just about as much aristocracy

and as much democracy in their composition as is good for them. While the ability which guides their counsels, the dignity of their bearing towards the outer world, the moderation and self-restraint which marks the relations of their legislature with their executive, are symptoms of the existence of a class trained to the duties of government, and while the unflinching heroism with which they have sustained a long, bloody, and unequal conflict shows them to be capable of a tenacity of purpose such as does not often reside in a democracy; yet they seem, as far as we can judge, to be free from the vices which are the besetting sins of the other form of republican government. The two Southern States which I pitched upon as the types of the two sections into which the Confederacy may be supposed to be divided, are also the two which are considered most aristocratic. And I think that if what I said is at all to be trusted, Virginia cannot be accused of a want of generosity, nor South Carolina of a want of promptitude.

It seems to me that admirers of democracy are very short-sighted in not taking the part of the South. They are sorely put to it by the question, "What has become of your model republic now?" And they have every right to look foolish if they persist in looking only at the North. But they might take up a stronger ground than they have hitherto done if

they would for a moment listen to their reason rather than their passions, and bring themselves to say—"You who are afraid of a slight extension of the franchise, look at what is being done by a people of English origin under a system of universal suffrage. Does the spectacle not convince you more than any reasoning could, that an affirmative answer may be returned to Montalembert's celebrated question—'L'Angleterre democratisée, restera-t-elle libre?'"

I have thought it worth while to say so much about this argument, because it is the only one put forward in perfect sincerity. It rests, not upon reason, but upon passion and prejudice; and I believe, if it were once distinctly understood that the Southern Governments are not framed as the Venetian was, a good many ardent Federal sympathisers would perhaps see that there is something to be said on the other side.

As to the third reason, I have already said pretty nearly enough about slavery, and need not go into that question. I cannot help believing that the argument is put forward as a blind. When one considers that slavery is a thing which has existed ever since the foundation of the world—that though it has often been regretted by humane and enlightened men, it never till the present century has been considered as a *crime*—that its existence has been

recognised distinctly both in the Old Testament and in the New, without a word being said against it—that the Jewish law on the subject would cause a tremendous outcry among some of us if it was published at the present day in (say) Louisiana—that the ancient Greek and Roman worthies, whom we are taught from our infancy to revere, nay, that many of the Fathers of the Christian Church, were slave-owners, and that Washington, whose name is reverenced, and that deservedly, on both sides of the Atlantic, was a slave-owner, and that nobody thinks any the worse of him for it,—one is tempted to doubt whether all the indignation which one hears at the present day directed against slavery is not really directed against something else, which it is not thought convenient to avow. And when one notices that the cry is raised by the frequenters of Exeter Hall, perhaps louder than by any one else, it is difficult not to be somewhat angry as one thinks of the part which some of those who are there revered as men of God have taken in connection with the question. I wonder that a touch of shame does not sometimes reach the heart and redden the cheeks of the fiery orators of that institution or its correlatives in New England, when they recollect that Newton was supercargo of a slaver—that he used never to find his heavenly meditations at all disturbed by the

vicinity of that fœtid mass of stifling, groaning, dying human beings which was crowded between decks in his ship; and that he used to find great comfort to his soul from the thoughts which were inspired by the trade in which he was engaged, and which the South Carolinian and other governments were struggling to keep down, in the teeth of the thundering prohibitions of England—King, Lords, and Commons united—against their presuming to do anything of the kind;—or if in the midst of their denunciations of hell and damnation against the wicked slave-owners, the thought should recur that Whitfield was one, and that his voice was lifted up in lamentation because Georgia set herself against that trade. Those good men (for such they were, though one was a slave-owner and the other a slave-trader) would not have expected that a time would come when those, who held them almost as saints, would denounce in unmeasured terms the descendants of the Georgian and Carolinian colonists, not for having opposed them, but for having done so unsuccessfully, and for possessing an institution which they had used their best endeavours to force upon those colonists against their will.

And why, O ye haters of slavery! did you not speak out against the war of ten years ago? Did we not spend our best blood in order to maintain

slavery? If slavery is such a crime, ought we to have fought for it as we did? And are problematical and dubious questions about a possible disarrangement of the balance of power to be set against what you deem our duty on such a question? Whitfield and Newton might have excused themselves by saying that, if they imported slaves, they did so to christianise and civilise them. But what is the fate of the Circassian girls who are kidnapped and sold in the market to glut the zenanas of Constantinople? It is quite an arguable point whether or not the Russian occupation of the city of the Bosphorus, which however was only a very distant possibility, would have done the smallest harm to England; but it is certain that it would have driven the taint of slavery from Europe. Why were your voices not heard then?

And you, ye fiery Radicals, supporters of the rights of man and all the rest of it! have you not been praising up America and American institutions to us all this time, and alleging we ought to imitate them? And was not slavery one of those institutions? It is true that you never told us that that particular institution should be selected for copying; but did you uplift your voice very vehemently against it? What did you say of the novels that made such a sensation some time ago? Were they

not exaggerated, uncharitable, and everything else that was bad? Did you think the Stafford House manifesto a wise one? Did you join in the general cry of indignation against the prototypes of Legree? Oh, no! We must not say a word against slavery; we must not hurt the feelings of our American brethren; they will find out in course of time that slavery does not pay, and then they will give it up; violent language will only exasperate them and irritate them into keeping it on. Wise and judicious counsel; and if you had impressed it upon your Northern friends it would have done no harm. But how comes it that, after being so mealy-mouthed towards the Southerners when they were thought to be unmitigated ruffians, or at least selfish debauchees, your anti-slavery valour begins to find vent when they have unexpectedly developed the highest qualities that were ever displayed by any nation, and at the same time are struggling in a deadly grapple for everything which, either in the Old World or the New, is held most dear, against an adversary of overpowering strength? Has not the struggle shown that, however bad slavery might be in itself, it at any rate is not the monstrous tyranny and oppression in practice that we believed it to be? Is this your justice? Is this your generosity? Is this your sympathy with struggling nations? Can it be that

you cannot forgive the Confederates for having taken away the point of your hustings speeches, in which you used to dilate upon the perfection of the model Republic, and prove how much better things were managed there than here, or would have a chance of being, unless your pet nostrums were applied to our constitution? We used to laugh at the French newspapers, which accounted for our wishing well to the Italian cause by making out that we had something to gain for our own private interests by its success. Perhaps, as far as you are concerned, they are not so far wrong after all.

It is astonishing how high up the taste for talking bunkum on this subject has gone in England. It has infected Cabinet ministers; Lord Russell cannot keep his hands off it. When, in his celebrated Blairgowrie speech, during his review of the affairs of the world for the benefit of the Perthshire farmers, he came to treat of the war in America, he commenced by expressing a hope that none of his audience had lost their horror of slavery; and then he proceeded to favour them with a discourse with the object of keeping the feeling up, without, however, any of those provisos against confounding the sin with the sinner, which would have been carefully introduced before the war. He left an impression that, though it was true that the South-

erners had a right to secede ("rebel" he called it), yet that it was devoutly to be wished that they might fail, and that no Englishman worthy of the name ought to feel any compunction if, when the peace which our commerce required comes, it should come in the form of Northern dominion. Still more strongly exemplified was this tendency in his speech in answer to Lord Derby on the question of the steam rams. He was accused of unjustly straining, if not breaking, the law of England in order to serve a political purpose; and he could not answer without winding-up by informing the House of Lords that he did not sympathise with either side in this war, as the views of neither on the subject of slavery were all that he could wish. He might as well have said that the people of both sections talked with an ugly accent; it would have had just as much to do with the rights and wrongs of the war, or with the justice of his conduct towards Messrs Laird, which, by the way, was the question before the House.

Let us, however, suppose the Southern secession to have been altogether illegal and uncalled for; or rather, let us turn away our eyes from the question altogether, and suppose that the causes of the struggle are veiled in obscurity. Can we find anything in the circumstances of the war itself which may induce us to take one side rather than the

other? Those circumstances have been very remarkable. This conflict has been signalised by the exhibition of some of the best and some of the worst qualities that war has ever brought out. It has produced a recklessness of human life; a contempt of principles; a disregard of engagements; a wastefulness of expenditure almost unparalleled; a deep and widely-extended corruption among the classes who have any connection with the Government or the war; an enormous debt, so enormous as to point to almost certain repudiation; the headlong adoption of the most lawless measures; the public faith scandalously violated both towards friends and enemies; the liberty of the citizen at the mercy of arbitrary power; the liberty of the press abolished; the suspension of the Habeas Corpus Act; illegal imprisonments; midnight arrests; punishments inflicted without trial; the courts of law controlled by the satellites of Government; elections carried on under military supervision; a ruffianism, both of word and action, eating deep into the country; contractors and stock-jobbers suddenly amassing enormous fortunes out of the public misery, and ostentatiously parading their ill-gotten wealth in the most vulgar display of luxury; the most brutal inhumanity in the conduct of the war itself; outrages upon the defenceless, upon women, children, and prisoners; plunder,

rapine, devastation, incendiarism, murder;—all the old horrors of barbarous warfare, which Europe is beginning to be ashamed of, and new refinements of cruelty thereto added by way of illustrating the advance of the age in knowledge. It has also produced qualities and phenomena the opposite of these; an ardour and devotedness of patriotism which might alone be enough to make us proud of the century to which we belong; a unanimity such as probably has never been witnessed before; a wisdom in legislation; a stainless good faith under extremely difficult circumstances; a clear appreciation of danger, coupled with a determination to face it to the uttermost; a resolute abnegation of power in favour of leaders in whom those who selected them could trust, with an equally resolute determination to reserve the liberty of criticism, and not to allow those trusted leaders to go one inch beyond their legal powers; a heroism in the field and behind the defences of besieged cities which can match anything that history has to show; a wonderful helpfulness in supplying needs and creating fresh resources; a chivalrous and romantic daring which recalls the Middle Ages; a most scrupulous regard for the rights of hostile property; a tender consideration for the vanquished and the weak; a determination not to be provoked into retaliation by the

most brutal injuries, which makes one wonder, recollecting what those injuries have been, whether, in their place, one would have done as they have done.* Probably many, perhaps most other wars have seen contrasts of the sort; but I am not aware of any in which they have been so very strongly brought out; and the remarkable circumstance about this particular war is that all the good qualities have been on one side and all the bad ones on the other; and if any one thinks this impossible, let him think of La Vendée, where the contrast between the two parties was the same in kind though much less in degree.

I hardly suppose that, to those who have followed this war at all, it will be at all necessary to go into details as to all these matters; nor indeed have I recollection enough, or books of reference enough, to

* I do not look upon the story of the capture of Fort Pillow as any exception to this. There was some very hard fighting, and a great slaughter of negroes. No doubt the Confederates, maddened by the stories of the horrible cruelties perpetrated by black soldiers elsewhere, gave little or no quarter. But there is the testimony of Northern officers to the fact that there was no slaughter in cold blood. The burnings of houses, &c., in Pennsylvania and Maryland, which have happened lately, were not done wantonly, but were distinct acts of reprisal for particular acts on the part of the enemy. The burning of Chambersburg arose from the authorities refusing to pay a contribution which was demanded. The Confederates fired some public buildings in consequence, and the conflagration spread.

do so, with anything like the fulness which would be required, if one were getting up a case for a motion in Parliament. I think it is difficult to exaggerate, if one used the very strongest language. It is true that it can hardly be said that the Federal atrocities are unprecedented, for they have not done anything much more brutal than the sack of Magdeburg, or the devastation of the Palatinate. But as regards the other side, I am not going a hair's-breadth beyond what I soberly and sincerely believe, in saying that the Confederates have, in almost every respect, surpassed anything that has ever been known. The most splendid instance of a nation's defence of its liberties that the world has seen before the present day, was perhaps (I am not sure, but I think so) that of Sicily at the end of the thirteenth century; and the Confederates stand much above the Sicilians.*

* It is paying the Confederates a very high compliment to rank them above the Sicilians. I think, however, that the compliment is, on the whole, deserved. The Sicilians were cursed and laid under interdict by a succession of Popes, just at the period of the Papacy's greatest power; for though the tide of the dominion of Rome was at that period just on the turn, still the fact was not yet very clearly perceived by the world in general. But I am not sure that the outcry against the South which has been raised on the slavery question has not had a more powerful effect on the general mind of Europe than any Papal denunciations could have had, even in the thirteenth century. And if the foes of Sicily, at one period at least, were more numerous and powerful proportionally to her than the Federals have ever been in proportion to

There are few stories that history or tradition has handed down of valour and generosity, which may not find something of a counterpart in the annals of this war. Parents sending forth their children, one after another, to die in the service of their country, without a murmur; delicate ladies leaving their

the Confederates, yet their efforts were hardly as vigorous and sustained as those of the Federals have been. On these points of comparison, therefore, the Southern States may claim equality. But there are three others on which they may be said to bear the palm. The first may be considered doubtful. The cause of the South has been stained by no treason in her counsels and her arms. But it may be questioned whether the fact of the treason is not in one sense an honour to Sicily. If President Davis were to become Emperor of Mexico, and, as such, to wage a vigorous war against his late subjects in alliance with the North, and if he were to draw along with him in his treason a long train of the most distinguished men of the South, including Lee, Breckenridge, Semmes, and Lamar Fontaine; if the desertion of these men not only entailed the loss of their genius or their valour, but also of a large extent of country, and several important towns which were in their possession; and if in spite of all this the Confederates were to prove victorious, perhaps the nation might be supposed to gain in brilliancy enough to counterbalance the loss of her brightest jewels. But, speaking for myself, I do not think she would. Secondly, that entire unanimity which has prevailed in the Southern States was wanting (only just wanting, it is true) in that of her exemplar and prototype. No town or district within the limits of the Southern States deserved to have said of it, as was said of one town in Sicily, — "Quod Siculis placuit, sola Sperlinga negavit" —"What the Sicilians willed, Sperlinga, she only, denied them." There have been persistent attempts to make out that North Carolina was lukewarm in the cause of the South; and, though I

homes to wait upon their wounded countrymen in the hospitals, stripping their houses of everything that could by any possibility promote the comfort of the troops, and working their fingers to the bone to make clothing for them; merchants, after having at a great risk run the blockade, sending in the invoices

think that these have been abundantly disproved, yet it may be justly said that that State, though she has done well, has not covered herself with glory to the same extent as her two next neighbours on the North and South have done. But Sperlinga resisted her country by force of arms; and, though engaged in a bad cause, shed a certain amount of lustre over it by her valour. No Confederate army has had to besiege Raleigh or Wilmington, in order to compel the adhesion of North Carolina. Thirdly, the extraordinary humanity, which will hereafter be considered, I think, as the most brilliant of all the brilliant qualities which the Confederates have shown, was far less shown by the Sicilians. They were not remarkably deficient in it after the first furious outbreak; and, at any rate, were much superior to the Angevins in that respect. But their hands are not so clear from the stain of blood unjustly shed as those of the Confederates are. It is true that in the thirteenth century, humanity in war, at least to those who were not gentlemen, was not so much a received doctrine as it is now. But, on the other hand, the gentleness of the more lenient side in the War of the Sicilian Vespers, has not fallen more short of that of the Confederates than the brutality of the more cruel Angevins has fallen short of that of the Federals.

In excuse for this note, I have to plead that I have lately had an opportunity of reading Amari's 'Sicilian Vespers;' and it not only confirms me in the belief which I always had in the extreme heroism of that struggle, but also showed so many points of resemblance even in very minute details with that in America, that I felt very strongly disposed to say something about it.

of their cargoes to the Government, begging them to take what was wanted at any price they pleased to give; wealthy landholders giving over their whole property to the State, only reserving a small annuity for themselves; individuals raising regiments at their own expense, and then serving in them as privates; schoolboys and collegians forming themselves into companies, and volunteering for service; common soldiers in regiments giving up their pay, in order to procure what was required for the sick and wounded; superior officers refusing, as Outram did, to take the command over the heads of subalterns, and so deprive them of the credit of finishing what they had begun; generals, after having been superseded for having fallen short of what was expected of them, offering to take any place in which they might be of use under the command of those who were to take their place;—stories like these are brought by nearly every mail. It is a greater glory to be capable of such sacrifices as these, than to perform the greatest acts of valour, or exhibit the most pertinacious energy. And yet in these latter respects their feats have been marvellous. In their daring, as well as in their self-sacrifice, things are constantly done which, in most countries, would be made the theme of endless vaunting, but with them are passed over as matter of course, and as almost too common to be

specially noticed. There have been instances of infantry receiving the attack of cavalry in line, and not only standing the charge, but being hardly checked in their advance; of a wearied force, after a hard day's marching and fighting, being attacked by superior numbers of fresh troops, holding its ground for more than an hour till reinforcements arrived; of gunboats captured by cavalry; of a weakly-manned vessel, with engines nearly useless, and so crazy that it was perfectly well known to those in command that a single shot might send her to the bottom, venturing, not for bravado, but for the purpose of communicating with a besieged place, to run the gauntlet of the fire of a whole fleet, creeping along at a snail's pace, for the state of her engines would not admit of more, and overawing the enemy by the mere exhibition of fearlessness; of marches and battles like those of Jackson's Valley campaign; of raids like those which have made the names of Stuart and his hardly less distinguished compeers, Ashby, Morgan, Forrest, and many more, a "possession for ever" to their country; of naval careers like that of the Alabama; of deeds of individual heroism like Lamar Fontaine's expedition to Vicksburg and back to Mobile. I think that, if one were to select a single instance of a valiant deed as the representative of the Confederate exploits during this war, this that I

have here named would be the one. If anything like it has occurred in any other war, I do not know of it. That does not, perhaps, prove very much. But exploits like that of the Roman Cominius, and that of the Irish soldier who made his way from Lucknow to carry information to the approaching army of relief, are common property, and will be known to persons who have not a very extensive acquaintance with history; and persons with a very ordinary degree of information may be in possession of the common stock of such stories. Many people know something about Bayard, who never heard of the League of Cambray, and about the death of Sir Philip Sydney, without knowing or caring where it took place. I suspect Lamar Fontaine's name is not so celebrated in this country as it deserves to be. If he had happened to be a Northerner we should have heard of him often enough. But the South does not brag. It is almost a pity that she does not do so a little more.

The deeds of the Northerners are quite as remarkable as those of their rivals; but it is in a different way. The Confederates have distinguished themselves by their gallantry and their self-devotion. The Federals have distinguished themselves—in spite of Mr Roebuck, and one or two rather ugly stories of battles, I will not say by their cowardice,

but—by their cruelty and brutality. A learned professor has published a letter in which he casts a charge of this nature in the teeth of the other party, not, however, in connection with their conduct in this war, but as one of the incidents of slavery. The thought, he says, of the beautiful quadroon writhing beneath the lash makes his eyes gleam with fierceness. This is not to be wondered at, and it is impossible to say that such things may not have happened: perhaps he knows of an instance of a quadroon being flogged, and no one can fail to sympathise with his indignation. We will come back to the subject again.

But one may fairly object to the South being visited on these grounds with especial condemnation. Anger at the ill-treatment of women is certainly not a ground for sympathy with the North, such as he seems to have, and it would not be so even if such ill-treatment was only objectionable when the victim was a person of colour. I have already spoken of the Federal camps, where negroes of both sexes are huddled together like swine, whether they like it or not, and of the terrible mortality which prevails in these hells upon earth. But the Federals may defend themselves by saying that this cannot be called maltreatment of women, inasmuch as the male niggers die quite as fast as the females do. It is towards the

women of white origin that Yankee chivalry most comes out. Whether the particular outrage of whipping has been inflicted may be considered perhaps a minor matter; for they have suffered every other that could be inflicted by brutal and often drunken soldiers and officers, from handcuffs up to murder, negroes often being the instruments and sometimes the principals. But I believe that whipping has not been spared in at least two parts of the country—one being the trans-Mississippi district, and the other being Norfolk, where the brave Butler has held sway for some time. And if recent accounts be true, that *preux chevalier* has lately outdone himself. The horrors to which the women of that part of Virginia which his forces occupy have been subjected are not to be mentioned, says the 'Times' correspondent, professing to speak from personal knowledge. He contents himself with the assertion that some have perished under them. Has the Professor no words of indignation for this? or is his indignation confined to cases when the sufferer is a woman of colour, and when the hands by which she suffers are Southern? If that be so, I am afraid that his "fierceness" is not the natural indignation of a man, but the drilled and regulated enthusiasm of a politician.

It may well be believed that if they treat women as they do, the Federals are not very scrupulous as

to their demeanour in other respects. I do not imagine that any war, at least of the present century —not even those in which Turks and Russians have been concerned—can show horrors to match those of the American war, horrors which have been entirely on one side. In the early part of the struggle, Lord Malmesbury drew the attention of the House of Lords to the barbarous order issued by the Northern Government, that medicines and surgical stores should be reckoned contraband of war. I hardly suppose he would think it worth his while to do so now. To find fault with the Federals for such a reason now, would be like blaming Tilly for not waiting on his prisoners at dinner, or being scandalised at one of d'Erlach's followers stealing a silver spoon. To sink a mass of stones with the view of destroying for all time a harbour belonging to the enemy—to lay tracts of country as large as Scotland under water, drowning everybody living there, niggers and all, without the smallest compunction—to rain Greek fire upon an undefended part of a besieged city — to sack and burn open towns — to plunder, not only provisions and military stores for the good of the state, but private property, furniture, pictures, and suchlike, for the enrichment of individual officers *and their wives*—to murder non-combatants in cold blood, sometimes with torture added

—to allow prisoners to be frozen to death, while their guards smoked and warmed themselves—to manage exchanges so as to release prisoners tainted with disorders in the charitable hope that they may carry the contagion back to their countrymen—to be willing to exchange when the balance of prisoners is in favour of the enemy, but not when it is in their own favour—to intrust the management of such exchanges to a ruffian whom no officer of the enemy's army could have any dealings with without feeling himself contaminated, and thereby put them in a position in which they must either deal on equal terms with an outlawed murderer, or leave their countrymen to perish in prisons which would have delighted the tyrants of Italy—to send forth a body of troops to surprise the enemy's capital with the object, not of capturing, but of setting fire to the houses in it—to give those troops written orders to try and seize the chief ruler of the hostile State and the members of his Government, and, if they succeeded, to murder them then and there—and to be rather proud of these exploits as proofs of smartness, —these are the distinguishing characteristics of Federal warfare. And there have been worse brutalities yet. Though I have made no curious researches on the subject, nor indeed should I have been able to do so if I had wished, I have seen things

stated in the public prints about the deeds of Federal soldiers, both black and white, which have been enough—I will not say to make the eyes gleam, but—to make the flesh creep. And I have generally found these accounts accompanied by the remark, that worse atrocities have been committed, but that they are too horrible to be published. We read of a rather distinguished commander of the seventeenth century who used to tell as a good joke, that his soldiers having sacked a place, found a couple of old women, who being fit for nothing else, were made into soup. I verily believe that that general would have been welcomed in the Federal army, and none the less so because he was of princely blood. And yet it is in that army that Garibaldi has expressed himself willing to accept a command. Has the Professor no indignation to spare for deeds such as these?

Another Professor, whose writings, even if nothing else, have raised him to eminence, is ready with an answer. I do not recollect his words, but they are to the effect that there never was a war waged with such tender and scrupulous humanity as this war has been waged on the part of the Federals. He says he is prepared to prove it: but I have not heard of his making any attempt to do so. He has, however, tried to do the next best thing. I am not sure which gives the purest delight to persons of his

school—to find the Americans to be saints, or their own countrymen to be ruffians. He has discovered a statement of Sir Charles Napier's to the effect that he was ashamed of the way our own soldiers behaved at a place in America which we took in the war of fifty years ago; and he is so delighted with his discovery that he sends it off in triumph to the 'Daily News.' I fear that England has been too long engaged as a belligerent all over the world not to have contracted a good many stains of cruelty in the conduct of her numerous wars. But I think and believe that, even assuming to ourselves the guilt of all the misdeeds of Hawkwood's White Company, even looking with more than French abhorrence on the iniquitous murder of Joan of Arc, even recollecting the Duke of Cumberland in Scotland, and the capture of St Sebastian, and refusing to admit any palliations that may be urged in any of these cases—still I think that we have less to answer for than any other European nation. And I think this gentleman himself supplies a very good presumption of the truth of this. If an unfriendly critic, after having succeeded in finding a case in which our soldiers behaved with cruelty, thinks it worth while to publish the fact to the world, with a loud cry of "Eureka!" it is probable that such cases are not very common. However, granting to this patriotic gentleman that

his countrymen are as great ruffians as he can wish to prove them, surely the Federals, who are so much our superiors in every way, should know better than to imitate our bad example, especially when they have the advantage of the additional enlightenment conferred by the last half century.

But the Professor is never tired of justifying the Federals at the expense of his own countrymen; and his anxiety to do so has led him into one of the most whimsical cases of a historical parallel that can be found. In the minds of some people, perhaps the most discreditable action which has stained the Northern cause, worse than all their cruelty, their brutality, their corruption, their mendacity, has been the forgery of the Mallory Report. I do not know that this performance was ever traced up to President Lincoln or his Government. But they were certainly in a great hurry to take advantage of it; and I have not heard that they have expressed themselves as if they had been hoaxed and were at all ashamed of the fact. And I am sorry to say that the precedent has been followed pretty extensively in the North, too much so to allow it to be thought that a successful forgery is considered there, at least by the mass, to be anything very disgraceful. Our Professor, touched to the quick by the idea, not that the Yankees could forge for a political object, but that any one should

think any the worse of them for it, again rushes to the rescue with the cry that England is just as bad. And he grounds this somewhat startling assertion, of all things in the world, upon Eikon Basilike. I confess I know very little of Eikon Basilike, whether it is a forgery at all, or, if it was one, whether it was forged to serve a political purpose. However, it is of course possible, and let it be granted. Now, in the first place, it is somewhat consolatory that, in order to find a *pendant* out of our history to the rascalities of his friends at the present day, he has to go back two centuries, and those two centuries containing the period during which our politicians, and our public life altogether, were most degraded and corrupt. We might be perfectly prepared to believe, if any one told us so, that the Jacobites had forged a proclamation purporting to be William the Third's, and we may be pleased to find that that not very scrupulous faction had at least not soiled its hands in this way. But, in the second place, it is difficult to see that there is any parallel at all. If Richelieu had been supposed to have been desirous of picking a quarrel with England, and some ardent Royalist had taken the opportunity to publish a forged order from Cromwell to seize the persons of all foreign papists to be found within the realm, in the hope that the Cardinal might seize hold of the excuse for hostilities, or at

least reprisals, it would have been an act, not of course identical with the Mallory forgery, but something of the same character. The parallel to Eikon Basilike would have been, if some admirer of President Lincoln's had published a volume of hymns under his name, in order to make him popular in the "religious world." I need hardly say that such a forgery would not be looked upon in the same light as the Mallory one.

But perhaps the most remarkable of the sentiments which the Professor has expressed about this war is the assertion that the Confederates had no right to secede, because foreign nations had always looked upon the Union as one body. If that was the case, it shows that the objects of those who formed the Constitution were answered. They did not care the least whether average foreigners knew of the relations between the States and the Federal Government; but they did wish that, to the outer world, there should be no appearance of division, or any temptation to set one against the other; and the only way to effect this was to give to the whole the appearance externally of a solid mass. But it is rather hard upon the Southerners that their rights should be held to be cancelled by the mere fact that foreigners were not aware of them. I do not know whether the notion still prevails very generally on

the Continent that Englishmen sell their wives in Smithfield. Should it prove to be the case, the Professor would doubtless be prepared to argue that any gentleman who was tired of his wife might rid himself of her in this simple and patriarchal fashion. A Commission deputed to take the sense of the *cafés* and *tables d'hôte* in the more sequestered parts of the Continent might draw up a report which would materially lighten the labours of the Divorce Court. In his admiration for the Americans (the Northerners at least) this gentleman has gone to them, or at least to caricatures of them, to learn how to argue, thinking probably that logic as understood at Oxford is as much "chawed up" as everything else on this side of the Atlantic; and if any Southerner were to say anything in his hearing about State rights, he would probably be as ready with his "You air mistaken, sir," as the American in the novel was when Martin Chuzzlewit ventured to say that the Queen does not inhabit the Tower of London.

Oxford has reason to be proud of Professor Goldwin Smith. But he can hardly have produced these arguments in any of her common-rooms. At any rate, they would hardly have passed unchallenged there, I suspect.

## CHAPTER IX.

### STORY OF QUADRUNA—THE LAWS OF THE NORTH.

I MUST now return, as I said I would, to the Professor of the gleaming eyes, and the beautiful quadroon whose cruel treatment arouses such indignation in his mind.

We will put the case a little more strongly. To all, except those who are learned in these matters, there is little in her appearance to distinguish her from a European girl. There is a delicate olive tint in her complexion, which is certainly not unbecoming, and which does not, to our apprehensions, necessarily imply any African blood; in fact, we should not suspect it unless we were told; and she is one of the loveliest and most graceful creatures we ever saw. Now, let us go and look for her. We will suppose ourselves dropped out of a balloon. We do not know where we are, except that we

are somewhere on the North American continent.

The object of our search is before us, and in a plight which may well make our eyes gleam. She has been stripped down to below her waist, and in that state, with her dress hanging from her loins, is "writhing beneath the lash;" and well may she writhe, for it is descending again and again upon her exposed and defenceless body with merciless vigour, and with terrible effect. Our eyes gleam at the sight, naturally enough; and calling on the bystanders, several of whom are lounging and spitting about, to assist us, we rush in, catch hold of the whip, wrench it from the torturer's hands, and proceed to unbind those of the sufferer. To our surprise, however, the bystanders do not view the matter as we do. They interfere, indeed, but it is not to assist us, but to prevent our interfering.

"Clear out of that, you old scaly cuss. The critter's only had twenty lashes, and she has got to get nineteen more."

So it is a legal sentence, is it? What can the crime be? We know the feeling that was excited in England when a Hungarian lady was treated in this fashion on a charge, true or false, of poisoning some Austrian soldiers—and the sort of estimation in which Marshal Haynau, who is said by some who

profess to know to have had nothing to do with it, and to have been many miles away at the time, is generally held on account of it. Surely her crime must have been something fearful, when such a punishment excites so little emotion. We inquire of the person nearest us, trembling to hear the answer.

"Wal, I guess one of our citizens fell in love with her and asked her to marry him, and she said she would. That's what she's done, the limb!"

We stood aghast at the explanation, and at the tone in which it is given. Turning to another of the bystanders, and suppressing, from prudential motives, both the fierce gleams of our eyes and the expressions which naturally arise to our lips, we ask as gently as we can, "Is it possible that she can be a *slave?* And is it a crime in a slave to love a man if he is white?"

"I don't know rightly whether she is a slave or not," says the person to whom our question is addressed. "Anyway, she is a woman of colour. Mayhap you don't think she looks very like it. But she has got nigger blood in her somehow."

"And by what right can a free woman, if she *is* free, be treated with such cru——severity?"

"Wal, it's by the law of Illinois."

Illinois! We can hardly believe our ears. *Illinois!*

Can these things be done in the great West? Is it possible that we can be in the State to which belongs President Lincoln, the glorious emancipator of the negro, and who has been, in consequence, addressed by Garibaldi in language which, if addressed to anybody of less transcendent goodness and greatness than we have always believed to belong to "honest Abe," would rightly be considered blasphemous. We turn away in horror and disgust. It is too dreadful to witness poor Quadruna's sufferings, and hear her screams of agony, without being able to do anything to rescue her; and, besides, the information we have received is too much for our equanimity. We hurry away from the place as fast as we can, trying to escape from the sound of the shrieks. But they ring in our ears all night.

Next day, as we are walking out, we meet our friend of the previous day. It may be imagined that we have no particular desire to cultivate his acquaintance; and he, on his part, seems somewhat shy of us. However, we are impelled by a desire, which is not to be controlled, to know more of Quadruna's fate. Our friend's disinclination to enter into conversation is quelled by an offer on our part to treat him to liquor, and we adjourn to the bar of a hotel. After he has ordered and drunk two or three archangel's eyebrows, we venture to make

an inquiry on the subject of our curiosity in as off-hand a way as we can.

"That gal! Wal, I reckon she's in the penitentiary. You seem to be a stranger, and don't know our laws. That's one of them. A flogging, and imprisonment for a year; and there's a fine, too; only, I guess they won't get much of that."

"I think they took out the fine in whipcord," say we, trying to be cheerful, and look as if we saw the fun. "But does your law oblige you to flog quite as severely as that?"

"No; it don't always. But you see, the judge who sentenced her was the father of the youngster who wanted to marry her; and he was powerful angry at the thought of a nigger for a daughter-in-law. Besides, I don't mind telling on you; I'm a kinder friend of the family, and I know the judge wanted his son to marry another gal. Nat'rally he was riled at this nigger coming in the way. I believe he'd have liked to cut her nose off, and spoil her looks. But there was no law for that; and all he could do was to order her as many lashes as he could, and to take care that she should get them. They tell me he gave the fellow a dollar to lay it on pretty smart."

We cannot help saying that it is a pity her lover did not carry her off and marry her, so that she

might have been saved from this shocking fate. Our interlocutor is *assez bon diable*, and, besides, the archangel's eyebrows, and the prospect of not having to pay for them, have softened him. So he shows no indignation at our remark, and only says—

"Wal, if he had got her off to Canada or to the South it might have done. But if he had married her, and not unliminated himself and her pretty smart, she'd have got larrupped all the same. But they took care to get him off to New York, or somewhere, on some business or another, before they took hold of her. I 'spect he'll be back right away, and it will be a caution to snakes if he is not tarnation ugly about it. He was quite a fool about that critter."

"If he is not, he will not be worthy of the name of a man," say we, who, as hospitality demands, have also been partaking of archangel's eyebrow pretty freely.

Our friend sees what our feeling is, and civilly does his best to enter into it.

"Wal, stranger, I am not sure but what you're right. It was kinder cruel to slash a gal like that, just because she was pretty. I was quite sorry myself," he adds, warming up to an almost chivalrous pitch of humanity. "I was quite sorry, really now, I was, to hear her squalling, and see the blood running down, and——"

"Yes, yes," say we, who recollect the scene per-

fectly, and do not wish to hear any very minute description of it. To check the flow of his reminiscences we ask him whether he will not have some more to drink.

"Thank you; if you don't mind, I don't care if I do liquor up again;" and therewith he calls for a tumbler of oh-be-joyful. "But, you see," he continues, "fact is, our citizens don't like niggers; and our laws don't either. If a man complains that any nigger in his service is lazy or disorderly, or won't do what he tells him, the nigger gets a whipping, by sentence of the Court. I've seen that done myself many times. And we've got a law against niggers dancing, or anything of that kind, in any barn or outhouse. We don't like their noise. Tell you we had a case of that only last week. There was a Southern gentleman, from Missouri I believe, came to look after a place he got left him in our State, and he brought some niggers with him, both men and women. Wal, not long after he came in, there was some day which is made a good deal of in his family—wedding-day, or something of that sort. So he gives his niggers some money to get some whisky and a fiddle, and lets them have a spree. In the middle of it all, as they were dancing and making a pretty tall noise, the constables, who guessed something was likely to be going on, comes up and

ketches 'em at it. There was some ten or a dozen of 'em, and as not more than three are allowed to be together like that, they were taken up and brought before the judges. The master got fined twenty dollars for letting 'em do it. As for the darkies, they got sarved out with thirty-nine lashes apiece. You never heard such a screeching as they made."

"For a free State, then, this can be no very pleasant abode for persons of colour."

"No, it isn't; and that's a fact. We don't want it to be. We don't mind slaves so much—that is, if they come with their masters. But free niggers don't suit us nohow. They are the most disreputable, drunken, demoralised set that you can see. If you wanted to find anything as bad, you may jest start and circumnavigate the airth, and you won't find anything to set alongside of 'em from the time you leave San Francisco to the time you get to New York. We do all we can to keep the critters out. Look yer! It's about ten years since we made a State law that no nigger, free or slave, should come in on their own hook. If they did, they were to be fined, that's what the bill said; and if they couldn't pay the fine, as was most likely, the law provided that they were to be sold, and obliged to work their fine out."

"What! even if they were free?"

"Yes; even if they were free. And that's our law still."

"Your law is somewhat surprising," we say. "But now, if a nigger, as you call them, does not come in on his own hook, but is brought in by his master, and set free while in the State, what happens then?"

"I guess we take pretty good care of that. If a fellow brings any of his niggers in here, he is bound over for a thousand dollars not to emancipate any of them, or, at least, to take care that they shan't be a burden on us. How can he prevent their being a burden unless he takes them away when he goes? And how can he do that if he makes 'em free? If the fellow steals a march on us, and slips, giving us his bond, he gets pretty smartly fined."

"Why, you could not have a law more opposed to negro liberty if you were on the Gulf of Mexico."

"Guess not. By the by, talking of that puts me in mind. A man from one of the Gulf States whom I met last time I was transacting business in Chicago, told me that they have laws in the States down there to prevent their carrying off free niggers to make slaves of 'em. If a fellow is found out doing it in South Carolina, he gets larrupped just as if he was a nigger. It seems kinder curis, don't it?"

"So it seems that in the South they punish those who turn freemen into slaves, and in the North they punish those who turn slaves into freemen?"

"Wal, I would not say that," says our friend, who does not like seeing the thing put quite in this way; "but you don't liquor-up yourself. As you say you are a Britisher, maybe you don't know our evangelist's shin-scraper. I reckon you'll find it an almighty good drink; it fixes a fellow up pretty considerable."

So we call for an evangelist's shin-scraper for ourselves and one for him, which he drinks in order to keep us company. We pronounce his eulogium on that beverage to be merited, and the conversation turns for a while upon American drinks. But we return to the charge.

"Is not the President one of your citizens? Surely the man who has proclaimed the freedom of the Southern negroes cannot approve the laws of his own State, if they are as you have described them?"

"Ha! ha! Old Abe! Wal, stranger, mayhap you wouldn't think it, but we're kinder proud of Old Abe. He is a 'cute old hoss. He has got, at least for the present, all the Abolitionist votes, by declaring that the slaves were free in just those States where his proclamation wasn't of no 'count, and nowhere else. One of our citizens was at Norfolk when it came out. They got all the niggers in the place together, made

speeches to 'em, and set 'em going procession, with flags and music and all them fixings, and then, after it was all over, told them that, as their masters were loyal citizens of the United States, they were not free just yet, but must go back to them—ha! ha!"

In spite of our principles, we cannot help laughing too.

"So you don't believe that your President is an honest man?"

"Wal, I wouldn't say that, now. He was quite square about saying he meant it as a 'war measure.' That was to please the War Democrats, who didn't want free niggers, but didn't mind setting the black cusses on to rise against their masters, and cut their throats if they could; and they didn't mind if the masters cut *their* throats instead."

"But the Abolitionists," say we; "surely they must have understood the proclamation to mean something else besides that?"

"Maybe they did, and maybe they didn't. Anyway, if they chose to believe our President meant more than he said, guess you oughtn't to lay that against *him*. But the Abolition coons are just like the others; they want the niggers for the same reason the War Democrats do. They want to kill rebels, and they think they'll do it all the more

safely if they call the niggers to help them. Why, there was one of their preaching chaps who was praising up Old Abe and Abolition, and he says, as a reason for it, 'Every black man that you can get to enlist may stop a ball that might otherwise hit a white man.' He was a smart man that preacher. He knew what he meant, and he knew what those he was speaking to meant. Some of 'em calls niggers their brothers; if they spoke true they should call 'em their bullet-stoppers."

"But now," say we, "you have been telling us of the laws of your State. Are other States as strict against the blacks as Illinois?"

"I don't know that any on 'em whip the critters as much as we do; but they almost all have laws against 'em one way or other; some don't allow them to come in at all; and those that do, oblige them to be under supervision, and make them report themselves whenever they move from one place to another. They tell me that they don't say so much about it in Michigan and Wisconsin; but those States are to the north of us, and niggers couldn't get to them except through us; so they don't need to be afraid of them."

"And, I suppose, none of them would allow a coloured woman to marry a white man?"

Our companion looks as if he did not know whe-

ther we were joking or simply foolish. He laughs, but gives no other answer.

"I suppose they have not these laws in New England?" we resume. "The people there will look on the negro with more favouring eyes, of course."

"Wal now, stranger, I don't know much about New England myself; but I've a friend in Boston who tells me that they don't like niggers no more than we do. They've got laws against them. They don't say, most of them, they're not to come in at all, as we do here; but they say, if a stranger comes to any town, the magistrates may order him off; and if he don't go he is to be whipped; and if he come back he is to be whipped again; and so on, till he clars himself off slick. Some States say he must give notice if he comes, and some leave it to the magistrates and police to find him out."

"But they don't, it seems, *oblige* the magistrates to act as you do; and they do not seem to specify negroes, so as to place any stigma on them?"

"Some on 'em don't, and that's a fact; but it allers means the same thing. He says that in his State (that is Massachusetts, you know) they treat the critters much as we do. If a nigger comes to be two months in the State, he has to give notice, and then they may order him off, and have him whipped till he goes. And as to what you call stigma,—you

saw that gal flogged yesterday? Tell you, if she'd been in Rhode Island, she might have had the same sarse if she'd been out after nine o'clock at night."

"And yet, I suppose that there are Abolitionists in Rhode Island?"

"Possible. But from what that fellow tells me, they would not care very much. Whipping seems to come quite nat'ral to the Yankees. I've heard say that they used for some offences to have women carted from town to town, and flogged at each as they came to 'em. I ain't quite clear whether they don't sometimes do it still."

"What! *free* women?"

"Guess so; and whites as well as blacks." *

Here we are joined by some acquaintances of our companion's, and the conversation grows general, and mostly on local matters. We have made as extensive an acquaintance with American drinks as we think advisable for one morning, and retire from the

* To anybody who is acquainted with Transatlantic modes of expression, the Americanisms in the above dialogue will probably appear incorrect enough. They hardly pretend to be anything else. I suppose it would be almost impossible to imitate national peculiarities of speech, without having seen something of the people among whom they prevail. A bad imitation is apt to be very irritating to those who know. I only hope that this one will not be so to those who do not know.

scene, wondering as we go whether such legislation as we have heard described, enforced as it evidently is by a very strong popular feeling, is not nearly as bad as the arbitrary rule of the South, tempered as it sometimes, nay, generally is, by kindly feeling, and restrained by coercive laws, for the protection of the negro; and we treasure up our facts for the benefit of Professor Newman.

# CHAPTER X.

## THE QUESTION OF RECOGNITION.

BEFORE I come to an end, perhaps I ought to express an opinion about recognition. I do not feel very anxious to do so, as my object is simply to show reason for my belief as to which side is in the right, and not to enter upon the question of what is the duty of Government and of Parliament.

I think that, on legal and technical grounds, we ought to recognise the Confederacy. In the last century we recognised four of the States of which it is composed — Virginia, the two Carolinas, and Georgia. In the present century we recognised Texas. Since those recognitions, those States have thought fit, for reasons best known to themselves, to commit the charge of their foreign relations, with which exclusively we are conversant, to the agents of a corporate body, called the United States of America. They have since withdrawn that commis-

sion, and instituted a new one. They may or may not have so bound themselves that the withdrawal is illegal; but that is not our business. If it was our business, we ought to call upon President Lincoln's Government to show reasons why we should not recognise and examine those reasons judicially. But if it is not our business, we ought to recognise at once, as a matter of form.*

The other States of the Confederacy, which have been formed either by cuttings of portions of the original States, or by cessions from France and Spain,

* That the fact of the formation of the Union cancels the recognition of the several States, is not a thing to be assumed, but proved; and the *onus probandi* rests with the foreign Government. It would be extremely difficult, if not impossible, to do anyhow. But, as a matter of fact, the different States have been enumerated by foreign Powers in treaties made since the Union, and among them by England. The treaties are not made with the "United States," but with the States *nominatim*. I do not know whether any treaty has been made in those terms since the formation of the present Union; but if it was done under any Union at all, it is enough to prove that the mere fact of a Union does not cancel the original recognitions, unless there has since been some special provision to the contrary. Unless such provision was made with the foreign Powers, the mere fact of the new Union being closer and more stringent than the old one would have nothing to do with it; and it would not be to the point if it had; for the terms of the Union of 1787, instead of being more binding, are less so than those of the Union of 1778, which it superseded. The older one contains the words, "This Union shall be perpetual." No such provision exists in that which exists, or is by way of existing, at the present day.

may also claim their right to be recognised. Their claims are not quite so clear; and I think it would be a nice point for argument. But, in point of fact, it is not of much importance. All that we are concerned with is the fact of a Confederacy. Whether Kentucky and Louisiana have a legal right to belong to it, is a matter that may fairly be left to themselves to settle. In one of the debates on the subject in Parliament, it was gravely maintained, on the Government side, that recognition was impossible, because the Federal armies occupied certain carefully enumerated points within the Confederate territory. It is not easy to see how this affects the question; but it answered the purpose of catching a cheer or so; and perhaps that was all that was wanted.

But although, as I say, the Confederates have a right to be recognised, yet it seems very doubtful whether they ought to insist on that right. If we had done so at the first moment, I think it not impossible that it might have prevented the war. But our delay, unjustifiable as it was, brought us into the position in which, if we recognised, we might chance to look as silly as the United States did themselves when, after recognising Hungary as an independent kingdom, they saw themselves stultified by the success of Austria; and perhaps we were right in declining to run that risk. There is, I suppose, very little

doubt now that the danger I mention is past. The subjugation of the South is about as likely as the reconquest of Naples by the Bourbons. But there is a further question; and that is, whether our recognition of the Confederacy would involve us in war with the North. I fully believe that it would not do so. That the Federals would rant and bluster a good deal, may be assumed as a matter of course. But it is hardly to be believed that they would do more, unless for any other reason it happen to suit them; and if it did so happen to suit, they are hardly the people to be held back for want of a pretext. I fully believe, also, that if they did go to war with us, the result of that war would be all that the most ardent Southerner could desire. And yet, if the Government believes — sincerely, earnestly believes — that war would be the inevitable consequence of recognition, may it not be justified in saying, "You may be quite right, gentlemen of the South, in saying that you are entitled to recognition. But if we were to do as you ask, we should incur a frightful evil, for which the most glorious success could hardly compensate us; and it is very doubtful whether it would do you any real good. *Fiat justitia, ruat cœlum* is not a law of universal application."

I urge this plea with but half a heart, for I don't believe in it myself; and even if I did believe in it, I

should be rather ashamed of uttering it. And I should not feel happy if it were accepted; for the concession that this plea is admissible, would give enormously increased force to the further arguments, —"We will not insist on our right to be recognised, although you do know some of us very well, in spite of your attempt to look as if you had never seen us. But war is a great evil, as we know to our cost; and we should be sorry to impose the risk of it (if you really think it one) upon you. So, if you must do so, stand aloof. Your neutrality laws bear hard upon us, but we will put up with that. We may, perhaps, fairly expect that, considering all things, if a point is ever to be strained, it will be in our favour, and that at any rate our enemies, who already have such enormous advantages on their side, shall not be allowed to go one inch beyond the letter of the law. And although you do not extend to us the courtesy of recognising us as a nation, you will of course make up for this by showing us every other courtesy in your power. You cannot act illegally simply by being civil." And supposing this speech to be followed by the question, "How have these duties been fulfilled?" I do not think I should know how to answer. I have some hope that the people of the Confederacy do not identify the English nation with the English Government. If they did, we should be laying up in

their hearts a bitter store of resentment, of which we might feel the effects at some future day, when we shall have realised how very little it will have profited us to have connived at the infraction of law, and submitted to the domineering insolence, which have been our lot at the hands of the Federals; and when those who have availed themselves of every assistance that we could give them short of an actual declaration of alliance, in their avowed object of exterminating eight millions of their fellow-creatures for the sake of possessing themselves of the territory which they occupy, shall have shown us how little return for these favours we are entitled to expect.

And after all, surely we have rendered one service to that gallant and struggling people, who are now, and have been for a long time, holding out their hands to us, praying us to give them that acknowledgment which is legally their due. Though the English Government has looked askance upon them—though it has leant with as much weight as it could well do, to press down the already preponderating scale of their enemies—though it has had no word of sympathy for them in the mighty battle which they are waging, not only for liberty, but existence, while some of its members have thought it consistent with the place which they hold, to express loud and cordial approbation of their enemies,—yet the English nation has done much to

atone for the doings of its rulers. It is a very common piece of clap-trap for those who do not go along with the policy which is pursued by their Government, to pretend that if the people were rightly appealed to they would support them. But I believe that, in this case, that clap-trap is a reality. I believe that the Confederates may feel, if it is any interest to them to do so, that if of all European Governments the English Government is most hostile—of all nations the English nation is the most friendly. On the Continent, the long oppression of despotic governments has made their subjects disposed to run off into the wildest excesses of democracy; and to them the disruption of the great Transatlantic Republic, to which their hopes and their aspirations had so long been turned, has appeared as a sign that the experiment of liberty had failed for ever. Nor is it unnatural that, to minds exacerbated by this thought, and feeling that in the fall of what they have been taught to consider American liberty, they see the death-blow to all hopes of their own, the cry so loudly raised by the North, that their republic is torn and divided, because it has undertaken the noble task of striking off the fetters of the slave, should come home with a force too strong to be resisted. But in England we are too much accustomed to liberty, too well aware of what distinguishes the reality of it from the false-

hoods — I may add, too deeply interested in the spectacle of a people of our own blood engaged in such a warfare as the South is now engaged in—for the mass of us not to be drawn towards her by strong ties of sympathy. There is, I believe, one other country where the Confederates have friends. It is the country in which, from historical association, as well as from its present condition, they might most expect that friends would be found. It is the country which, next to our own, stands out as the greatest example of success in the task of combining liberty with order, the country which for more than two thousand years has known what freedom has meant, and has given the brightest examples of patriotism that the world has known—the country of Pythagoras and Dion, of the Valerii and the Gracchi, of the League of Lombardy, and the Sicilian Vespers.*

But there is a greater good still that we have been the means of conferring on the Confederates. It is one for which they owe us no gratitude, and for which they may well repay us with animosity. But to an Englishman whose heart is with the Southerners—

* Since the above was written, I have had reason to believe that it has been to a great extent falsified. "Southern proclivities" on this side of the Atlantic are no longer confined to England and Italy. A strong Confederate minority, powerfully represented in the press, has arisen in France; and there are not wanting indications of sympathy on the same side even in Germany.

nay, to the Southerners themselves—at some future day the thought may arise that the coldness of England has been more profitable to them than her most ardent support—nay, than even her armed assistance —could have been. Had England at once recognised the Confederacy, had the other European Powers followed her lead, had the Washington Government bowed to their decision, the new Republic would have escaped untold misery, and would be at this moment occupying a secure though not very remarkable place among the family of nations. If it has been England that has prevented this, and plunged the Southern States into the sea of blood in which they have been so nearly submerged, they may recollect, when the tide has ebbed, and the terrible struggle is over, that that sea has washed away not only the impurities which adhered to them from the faults of their old system of government, but also those which a long career of peace and success is apt to produce in any nation, and that that struggle has taught them not only the knowledge of war and the art of victory, but has developed the far greater qualities which are the life-blood of peoples—self-reliance, self-help, self-devotion, constancy, and that feeling which can annihilate all faction and all selfishness, and can unite a whole nation as one man in the struggle after that which is worthy to be sought by toil and sacrifice. Few, if

any, other nations have had such a long and hard trial as that which has been laid on the South; few, if any, other nations would have been worthy of the chance thus offered them of becoming great. And the descendants of the Virginians and Carolinians of the present day may perhaps hereafter find it in their hearts to be thankful to England for the education which, without meaning it, she procured them—to be thankful to England for the culpable inaction which led to their being compelled to erect such a splendid portal at the opening of their history, and enabled them to sum up the glorious and as yet unfinished record of courage and sacrifice, which will tell how the Confederacy was formed, with the ancient words—

"Tantæ molis erat Romanam condere gentem."

THE END.

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